

FOURTEENTH DAY.

(Wednesday, February 12, 1930.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called, and the following members were present:

Mr. Speaker.	Keeton.
Acker.	Keller.
Ackerman.	Kennedy.
Adkins.	Kenyon.
Albritton.	Kincaid.
Allred.	King.
Anderson.	Kinnear.
Avis.	Land.
Baker.	Lee.
Barnett.	Lemens.
Bateman.	Long of Houston.
Beck.	Loy.
Bond.	Magee.
Bounds.	Mankin.
Bradley.	Marks.
Brice.	Mauritz.
Brooks.	Maynard.
Carpenter.	McCombs.
Chastain.	McDonald.
Coltrin.	McGill.
Conway.	Mehl.
Cox of Lamar.	Metcalfe.
Cox of Limestone.	Minor.
Davis.	Moore.
Dunlap.	Morse.
Duvall.	Mosely.
Enderby.	Murphy.
Farrar.	Negley.
Finlay.	Nicholson.
Forbes.	Olsen.
Fuchs.	Palmer.
Gates.	Patterson.
Gilbert.	Pavlica.
Giles.	Petsch.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Graves of Erath.	Purl.
Hardy.	Quinn.
Harding.	Ray.
Harman.	Reader.
Harper.	Renfro.
Harrison.	Richardson.
Heaton.	Riley.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hopkins.	Shaver.
Hubbard.	Shelton.
Jenkins.	Sherrill.
Johnson	Simmons.
of Dallam.	Sinks.
Johnson	Snelgrove.
of Dimmit.	Speck.
Johnson of Scurry.	Stephens.
Jones.	Stevenson.
Justiss.	Storey.
Kayton.	Tarwater.

Terrell.	West.
Tillotson.	Westbrook.
Turner.	Wiggs.
Van Zandt.	Williams
Veatch.	of Hardin.
Waddell.	Williams
Wallace.	of Travis.
Walters.	Woodruff.
Warwick.	Young.
Webb.	

Absent.

Eickenroht.	Mullally.
Hefley.	O'Neill.
Hornaday.	Pool.
Long of Wichita.	Reid.
Montgomery.	Thompson.

Absent—Excused.

Baldwin.	McKean.
DeWolfe.	Prendergast.
Ewing.	Savage.
Finn.	Strong.
Johnson of Smith.	Williams
Kemble.	of Sabine.
Martin.	

A quorum was announced present.
Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following member was granted leave of absence on account of important business:

Mr. Baldwin for today, on motion of Mr. Baker.

The following members were granted leaves of absence on account of illness:

Mr. DeWolfe for today, on motion of Mr. Metcalfe.

Mr. Williams of Sabine for today and the balance of the week, on motion of Mr. Conway.

Mr. Johnson of Smith, on motion of Mr. Enderby.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Conway:

H. B. No. 61, A bill to be entitled "An Act providing for rural school supervisor or supervisors in certain counties in lieu of teachers' institutes; prescribing the duties of said supervisor or supervisors; providing for visits to schools of the county and work in co-operation with the teachers; prescribing the salary or salaries of said supervisor or supervisors, and the man-

ner in which such salary or salaries shall be paid."

Referred to Committee on Education.

By Mr. Brice and Mr. Stephens:

H. B. No. 62, A bill to be entitled "An Act fixing an open season or period of time for hunting, taking or killing wild mourning doves in the counties of Delta, Hopkins and Franklin; making it unlawful to hunt, take or kill same at any other time of the year, and repealing any provision of the law in conflict with this act."

Referred to Committee on Game and Fisheries.

By Mr. Tarwater:

H. B. No. 63, A bill to be entitled "An Act to amend Article 7005, Chapter 7, Title 121, of the Revised Civil Statutes of 1925, as amended by the Acts of the Fortieth Legislature, so as to exempt the county of Parmer from the provisions of the said act."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Cox of Limestone:

H. B. No. 64, A bill to be entitled "An Act appropriating fifteen hundred (\$1500) dollars to be applied upon the purchase of a statue to be placed upon the Fort Parker monument, when a like sum is raised by public subscription; appointing commissioners to purchase said statue and use said funds therefor, and to withdraw such appropriation upon their affidavits of the collection of such like sum by public subscription."

Referred to Committee on Appropriations.

By Mr. Keller:

H. B. No. 65, A bill to be entitled "An Act amending Article 6205, Revised Civil Statutes of 1925, as amended by Chapter 153 of the General and Special Laws of the Forty-first Legislature at its Regular Session, amending Article 6221, Revised Civil Statutes of 1925, as amended by Chapter 5 of the General Laws, Second Called Session, of the Forty-first Legislature, and amending Article 6215, Revised Civil Statutes of 1925, as amended by Chapter 307, General and Special Laws of the Regular Session, Forty-first Legislature."

Referred to Committee on State Affairs.

By Mr. Quinn:

H. B. No. 66, A bill to be entitled "An Act amending Article 3892 of the

Revised Civil Statutes of 1925, relating to fees of office."

Referred to Committee on State Affairs.

By Mr. Quinn:

H. B. No. 67, A bill to be entitled "An Act amending Article 7331, Revised Civil Statutes of 1925, so as to properly fix the fees of the tax collector for collecting delinquent taxes."

Referred to Committee on State Affairs.

By Mr. Loy:

H. B. No. 68, A bill to be entitled "An Act providing an open season or a period of time when it shall be lawful to hunt, take or kill wild mourning doves in the north and south zones, as such zones are defined in Article 878 of the Revised Penal Code, as amended by Chapter 222, page 326, Acts of the Fortieth Legislature, Regular Session, and repealing any provision of the law in conflict with this act."

Referred to Committee on Game and Fisheries.

By Mr. Hines, Mr. Harper and Mr. Simmons:

H. B. No. 69, A bill to be entitled "An Act repealing Chapter 88, page 219, of the Acts of the First Called Session of the Forty-first Legislature, prohibiting the sale of fresh water fish during the months of March and April in Cass, Bowie, Morris and Titus counties, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Pope of Nueces:

H. B. No. 70, A bill to be entitled "An Act fixing the metes and bounds of the Alice Independent School District, located in Jim Wells county, Texas, and validating the proceedings of the county school trustees of said county in changing the boundaries of Alice Independent School District in said county and validating all proceedings had with respect to levying a tax of \$1.00 upon the \$100 valuation of all taxable property in said school district, and validating all proceedings had with reference to the issuance of \$75,000 of school building bonds of said district, and validating all proceedings had with reference to the issuance of \$15,000 of school building bonds of said district, and validating all proceedings had with reference to the issuance of \$125,000 of school building bonds of said dis-

trict."

Referred to Committee on School Districts.

By Mr. Marks:

H. B. No. 71, A bill to be entitled "An Act authorizing the commissioners court to pay bounties on wolf scalps in Jack and Wise counties to preserve game in said counties."

Referred to Committee on Game and Fisheries.

By Mr. Finlay:

H. B. No. 72, A bill to be entitled "An Act making it unlawful to shoot at, or kill any wild deer, or wild turkey in San Saba county; providing a penalty."

Referred to Committee on Game and Fisheries.

By Mr. Hornaday, Mr. Giles and Mr. Maynard:

H. B. No. 73, A bill to be entitled "An Act to amend Chapter 2 of Title 122 of the Revised Civil Statutes of Texas of 1925, and to fix and provide for the collection of an occupation tax from each individual, partnership, corporation or association conducting, operating, controlling, managing or owning within this State more than five general merchandise stores, drug stores, grocery stores, sporting goods stores, or a combination of any such stores, or which operate under the same style or name, using the same trade name, copyrighted name or system, whether by ownership or on royalty, franchise or other contractual basis."

Referred to Committee on Revenue and Taxation.

By Mr. Hardy:

H. B. No. 74, A bill to be entitled "An Act to amend Section 12 of Acts of Twenty-eighth Legislature, creating a road system for Palo Pinto and Bosque counties, being Chapter 22, Special Laws, 1903, as amended by Chapter 19, Special Laws, 1913, which Section 12 was added by Chapter 12, Special Laws of the Forty-first Legislature at its Second Called Session; authorizing the commissioners court of Palo Pinto county, Texas, to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purpose in Palo Pinto county, and to levy a tax in payment thereof."

Referred to Committee on Highways and Motor Traffic.

By Mr. Tillotson, Mr. Warwick, Mr. Harding, Mr. Duvall, Mr. Storey, Mr.

Petsch, Mr. Webb, Mr. Mauritz, Mr. Anderson, Mr. Mehl, Mrs. Moore, Mr. Hardy, Mr. Murphy, Mr. Westbrook, Mr. Hopkins, Mr. Cox of Lamar, Mr. Lee, Mr. Harman, Mr. Quinn, Mr. Hogg, Mr. Jenkins, Mr. Speck, Mr. Conway, Mr. Patterson, Mr. Cox of Limestone, Mr. Williams of Travis, Mr. Johnson of Dimmit, Mr. Hubbard, Mr. Ackerman, Mr. Allred and Mr. Purl:

H. B. No. 75, A bill to be entitled "An Act relating to the licensing of motor vehicle operators and chauffeurs and to the liability of certain persons for negligence in the operation of motor vehicles on the public highways; providing for issuance of licenses, revocation thereof; forbidding driving by persons without licenses; providing penalties; providing for fees to be paid, and examiners appointed, and the allocation of uses of such fees, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Olsen:

H. B. No. 76, A bill to be entitled "An Act to amend an act of the Thirty-fourth Legislature, entitled 'An Act to create a more efficient road system for Lavaca county,' being Chapter 75, Local and Special Laws, Regular Session, 1915, by adding thereto Section 18, authorizing the commissioners court of Lavaca county to issue bonds of said county for the purpose of funding or refunding indebtedness for road and bridge purposes in said county, and to levy a tax in payment thereof."

Referred to Committee on Highways and Motor Traffic.

By Mr. Barron and Mr. Sanders:

H. B. No. 77, A bill to be entitled "An Act providing a daily bag limit and a possession limit on wild ducks and wild geese that are killed, taken or possessed during the open season, and repealing any provision of the law in conflict with this act; making it unlawful to take or kill or have in possession any wild ducks or geese in excess of such limit."

Referred to Committee on Game and Fisheries.

By Mr. Barron and Mr. Sanders:

H. B. No. 78, A bill to be entitled "An Act providing that it shall be lawful to use shrimp trawls of certain specified size for the purpose of taking shrimp of any size for bait in any of the tidal waters of this State; providing that shrimp of any size may be

taken with a minnow seine of not more than twenty feet in length or with a cast net."

Referred to Committee on Game and Fisheries.

By Mr. Tillotson, Mr. Kayton, and Mr. Duvall:

H. B. No. 79, A bill to be entitled "An Act imposing an occupation tax on certain resources, including sulphur, gas, salt, coal, lignite, and ores, marble, stone, gravel, sand, shells, and other natural deposits, basing the same upon the amounts produced; fixing liability therefor; prescribing the method and manner of collecting and enforcing the payment of such tax, penalties and interest."

Referred to Committee on Revenue and Taxation.

By Mr. Lee, Mr. Finlay, Mr. Bateman, Mr. Enderby and Mr. Giles:

H. B. No. 80, A bill to be entitled "An Act providing for State supervision of cotton weighing at cotton compresses; providing for State compress weight supervisors; providing exceptions, penalties, fees to cover expense of administering the act, making appropriation of moneys to carry same into effect, and enacting all provisions and regulations incidental to the subject and purpose of this act."

Referred to Committee on Agriculture.

By Mr. Petsch, Mr. Westbrook, Mr. McDonald, Mr. Tarwater, Mr. Albritton, Mr. Snelgrove and Mr. Walters:

H. B. No. 81, A bill to be entitled "An Act amending Articles 5738, 5739, 5742, 5743, 5746, 5748 and 5763 of the Revised Civil Statutes of 1925, relating to co-operative marketing associations, said articles being a portion of what is commonly known as the Co-operative Marketing Act of Texas."

Referred to Committee on Agriculture.

By Mr. Hornaday:

H. B. No. 82, A bill to be entitled "An Act to prohibit the shipment into Texas of any citrus nursery stock grown in the State of Florida, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Mauritz, Mr. Pope of Jones and Mr. Harper:

H. B. No. 83, A bill to be entitled "An Act relating to occupation tax on

the production of sulphur; providing for an occupation tax of one (\$1.00) dollar per ton of all sulphur produced within the State of Texas; providing for reports and records; imposing forfeitures and penalties for failure to keep records."

Referred to Committee on Revenue and Taxation.

By Mr. Quinn:

H. B. No. 84, A bill to be entitled "An Act amending Section (a) of Article 5742, Chapter 8, Title 93, of the Revised Civil Statutes of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature; giving the marketing associations the power to receive from and handle for non-members any agricultural product not in excess of fifty per cent of the same product it receives from and handles for its members."

Referred to Committee on Agriculture.

By Mr. McCombs:

H. B. No. 85, A bill to be entitled "An Act to amend Section 28 of Article 2092 of the 1925 Revised Civil Statutes of the State of Texas, so as to provide that all motions for a new trial must be presented within thirty (30) days after the original motion has been filed, and must be determined within forty-five (45) days after said motion has been filed."

Referred to Judiciary Committee.

By Mr. Land:

H. B. No. 86, A bill to be entitled "An Act to amend Sections 2a and 2b of Chapter — of the Local and Special Laws enacted by the Thirty-third Legislature at its Regular Session in 1913, same being special road law for Childress county, which Sections 2a and 2b were added by Chapter 279 of the General and Special Laws of the Forty-first Legislature at its Regular Session in 1929; authorizing the commissioners court of Childress county to issue bonds in said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and to levy a tax in payment thereof, providing limitations upon the issuance of warrants for road and bridge purposes, and exceptions therefrom, and declaring an emergency."

Referred to Committee on Highways and Motor Traffic.

By Mr. Riley:

H. B. No. 87, A bill to be entitled

"An Act to provide and regulate size of certain fish caught in Harrison county, Texas; providing a penalty, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hubbard:

H. B. No. 88, A bill to be entitled "An Act providing for the temporary registration or visiting privileges in this State of vehicles owned by citizens of another State or country and duly registered under the laws of said State or country for the current year; prescribing restrictions under which such vehicles may be operated; prescribing penalties for any violations hereof."

Referred to Committee on Highways and Motor Traffic.

REASONS FOR NOT VOTING.

On motion of Mr. Hopkins the following statement was ordered printed in the Journal:

Due to reasons beyond my control I was forced to be absent on yesterday at the time House bill No. 2, as amended (being the compromise penitentiary bill), was passed by the House. Having assisted in the preparation of this compromise and desiring to perpetuate my position of favoring the passage of comprehensive and reasonable penitentiary legislation, I take this means of stating that had I been present my vote would have been "yea" and for the passage of the bill.

HOPKINS.

BILL ORDERED PRINTED.

Mr. Purl moved that House bill No. 33, reported adversely with a minority favorable report, be printed.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—74.

Mr. Speaker.	Cox of Lamar.
Acker.	Cox of Limestone.
Ackerman.	Davis.
Albritton.	Enderby.
Allred.	Eickenroht.
Avis.	Finlay.
Barnett.	Gilbert.
Bond.	Graves of Erath.
Bounds.	Heaton.
Bradley.	Hines.
Brice.	Hogg.
Carpenter.	Jenkins.
Chastain.	Johnson
Coltrin.	of Dallam.
Conway.	

Johnson	Reader.
of Dimmit.	Renfro.
Johnson of Scurry.	Richardson.
Jones.	Riley.
Keller.	Rogers.
Kennedy.	Rountree.
King.	Shaver.
Lee.	Shelton.
Long of Houston.	Sherrill.
Loy.	Simmons.
Magee.	Snelgrove.
Mankin.	Speck.
Mauritz.	Stephens.
Maynard.	Stevenson.
McCombs.	Storey.
McDonald.	Tarwater.
McGill.	Terrell.
Mehl.	Turner.
Metcalf.	Van Zandt.
Minor.	Veatch.
Murphy.	Waddell.
Negley.	Wallace.
Palmer.	West.
Pope of Nueces.	Williams
Purl.	of Travis.
Quinn.	

Nays—29.

Anderson.	Moore.
Baker.	Mosely.
Bateman.	Olsen.
Farrar.	Pavlica.
Forbes.	Petsch.
Fuchs.	Ray.
Harman.	Sanders.
Harper.	Sinks.
Harrison.	Tillotson.
Hopkins.	Walters.
Justiss.	Warwick.
Kayton.	Westbrook.
Kenyon.	Williams
Kincaid.	of Hardin.
Land.	Young.

Absent.

Adkins.	Lemens.
Beck.	Long of Wichita.
Brooks.	Marks.
Dunlap.	Montgomery.
Duvall.	Morse.
Gates.	Mullally.
Giles.	Nicholson.
Graves	O'Neill.
of Williamson.	Patterson.
Hardy.	Pool.
Harding.	Pope of Jones.
Hefley.	Reid.
Holder.	Thompson.
Hornaday.	Webb.
Hubbard.	Wiggs.
Keeton.	Woodruff.
Kinnear.	

Absent—Excused.

Baldwin.	Ewing.
DeWolfe.	Finn.

Johnson of Smith. Savage.
 Kemble. Strong.
 Martin. Williams
 McKean. of Sabine.
 Prendergast.

BILLS ORDER NOT PRINTED.

On motion of Mr. Van Zandt, House bill No. 22 and Senate bill No. 12 were ordered not printed.

On motion of Mr. Bond, House bill No. 56 was ordered not printed.

COMMUNICATION FROM CIVICS CLASS OF SHINER HIGH SCHOOL.

The Speaker laid before the House and had read the following communication:

Whereas, The Civics Class of Shiner High School visited the State Capitol on Friday, February 7, 1930; and

Whereas, The House of Representatives on that occasion unanimously passed a resolution by Representative Graves of Erath granting the Civics Class of Shiner High School the privileges of the floor of the House; and

Whereas, The members of the House of Representatives accorded the members of the Civics Class of Shiner High School valuable assistance in their quest for knowledge; therefore, be it

Resolved, That we, the Civics Class of Shiner High School, express our heartfelt gratitude to the House of Representatives; and be it further

Resolved, That we send a copy of this resolution to the House of Representatives and also a copy to the editor of the Shiner Gazette.

Signed—Alvin A. Bednar, Earline Berckenhoff, Adela Schroeder, Anton G. Baros, Hertha E. Liebhafsky, Florine Berckenhoff, Margaret Gebauer, Raymond Dierksen, Ethel Jaroszewski, Ray H. Welhausen, Leslie Marek, Esther Scheffer, Wilma Kasper, Olga Reichardt, Anne Berckenhoff, Louise Novak, Carlton E. Wolters, Emilie H. Schovajsa, Werner Selzer, Woodron Basa, Evelyn Dreyer, Emil Stuter, Walter A. Schulz, Teacher.

COMMUNICATION FROM STATE BOARD OF CONTROL.

The Speaker laid before the House and had read the following communication:

State Board of Control.

Austin, Texas, February 11, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives, Capitol.

Dear Mr. Barron: You will recall, I am sure, that largely due to the efforts

of Senators Love and Beck, the Third Called Session of the Forty-first Legislature appropriated sufficient money to install radios in each of the State Hospitals, the Austin State School, and the Tuberculosis Sanatorium. These radios have been installed and at this time more than 12,000 patients are daily enjoying splendid programs. Each of the superintendents has advised the Board of Control that they regard the radio as a very wonderful thing for these patients. The Board of Control sincerely hopes that next year when the Legislature comes to write the appropriation bill that radios can be installed in the remainder of the State eleemosynary institutions.

As an illustration of what the radio is doing for these patients, I am enclosing a newspaper report from the Wichita Falls Daily Times, written with reference to the hospital in that city. This article voices the opinion of the superintendents of the other institutions.

We wish to express to the Legislature the most sincere appreciation of the patients, the superintendents and this Board.

Gratefully yours,
 STATE BOARD OF CONTROL,
 By R. B. Walthall.

Radio Opens Windows Onto New World for State Hospital Folks.

By Eleanor Fleming.

A new world has opened its doors to more than a thousand patients in the Wichita Falls State Hospital for the Insane—a world whose confines are almost limitless, a world filled with beautiful music and exciting football games and amusing plays.

Less than a month ago, time hung heavy on the hands of some of the unfortunates who are suffering mentally. While there was work to do, while the people congregated for meals or special programs, it wasn't so bad, but there were times when a heavy cloud of gloom descended over the entire group. Thinking of home, of friends, trying to make befuddled minds figure out what and why and how it all came about, and worrying over the plentiful causes for worry that are found in such a place, the curables were in all probability actually retarded in their progress by these periods of brooding, according to hospital officials.

Today, twenty-one loud speakers, scattered throughout the various wards of the hospital bring delight to the hundreds of patients. Enthusiasm runs

high as a forward pass ties the score in a football game, and many a hypothetical bet is won every Saturday afternoon. The scores who have been interested in various types of music as musicians themselves are transported to another world as the radio tunes in on a good nationally broadcast musical program.

The centralized system, providing for a radio set in the administration building broadcasting with equal volume through twenty-one loud speakers all over the grounds, is described as ideal by Dr. C. W. Castner, superintendent. "We consider this an ideal arrangement," he said. "We take a vote on what program is wanted and we find no greater disagreement over the programs than is found in the ordinary family circle."

Need Good Records.

An attachment with a phonograph and a microphone in the administration building makes it possible for the officials to furnish their own program when nothing on the air is suitable. This is also highly commended by Dr. Castner. "We are assured of entertainment the year around," he said. "And if we can keep a good variety of records we will not lack for good programs." In this connection, phonograph owners who have old records not being used have been asked to communicate with Dr. Castner or with the Wichita Falls Radio Supply Company, which installed the broadcasting and receiving system.

The set was installed on the first day of the 1929 world series. While the games were still being played a local doctor visited some patients in the hospital. After several unsuccessful attempts to converse with the patients, he came back into Dr. Castner's office. "I'll have to come back after the baseball games are over," he said; "I can't even talk to them. They all want me to bet with them on the games and won't pay any attention unless I talk baseball."

Dr. Castner and other officials were highly optimistic over the results of what was really an untried experiment. No other similar institution has attempted this project, according to Dr. Castner. Radio sets were installed in a few wards at one of the Missouri hospitals, but were unsuccessful because the system was not centralized.

Music Beautiful.

"We feel that this is one of the best investments ever made," he said, in de-

scribing the success of the project thus far. "Any patient will react favorably to good music and there is a notable general difference in the behavior of the patient. This is undoubtedly one of the best therapeutical aids we have ever used.

"We encourage sleep, of course, and we believe that the evening programs, coming just after dinner, will help in getting our patients to sleep. There is a calming effect that is invaluable."

Classical and jazz music both have their enthusiastic proponents, and diplomacy is required to keep everyone satisfied all of the time, it is said. One of the most popular hours is the sermon time, and all are attentive during the church services.

Kicking and goosing in their cribs, little Charles, aged six weeks, and Wanda Mae, four weeks old, enjoy the music as much as do their mothers and the rest of their thousand companions. Three other enthusiastic listeners are Messrs. Alexander Smart, Bennie and Mack, who try in their best canary fashion to put fancy trills and nuances in the music that is broadcast.

But, best of all, 1,266 mentally diseased persons find life more bearable as a new ray of hope and promise of release from their troubles shines out—they are listening to the voice of the world, to which they are returning some day.—Wichita Falls Daily Times, November 3, 1929.

RELATIVE TO PRESERVING OLD LAND OFFICE.

On motion of Mr. Giles, the following communication was ordered printed in the Journal:

Albert Sidney Johnston Chapter,
U. D. C. No. 105.
Austin, Texas

The House of Representatives, the State of Texas, Austin, Texas.

Gentlemen: We, the patriotic organizations of Austin, the National Colonial Dames of America in Texas, the Daughters of American Revolution, the United States Daughters of 1812, the Daughters of the Republic of Texas, and the Daughters of the Confederacy, wish to memorialize our Governor, Dan Moody, and both houses of the Texas Legislature now in session, to appropriate a sufficient sum of money for the restoration and protection of the "Old Land Office," now called "The Confederate and the Daughters of the Republic of Texas Museum." This unique

old structure, with its marvelous architecture, if preserved, is a priceless heritage for our children's children. Each brick is redolent of the history of Texas.

Therefore, we petition you to restore it so it may stand a monument to unborn generations, of the constructive genius and keep foresight of our pioneer fathers, only those indifferent to Texas traditions would destroy this magnificent piece of architecture that, unrepaired, would defy the elements for five hundred or a thousand years.

Therefore, be it resolved,

1. That, even in this Called Session, you take time for this most important work.

2. That you appropriate a sufficient sum of money to reroof and make all additional repairs necessary to prevent further decay of this historical building.

3. That a group photograph of our Governor and the 1929-1930 Legislature be placed in our hall as preservers of our loved museum.

Respectfully submitted,

Miss Mary Josephine Palm,
President, Colonial Dames of America
in Texas; membership 300.

Mrs. James H. Hart,
President, Thankful Hubbard Chapter,
Daughters of the American Revolution;
membership 135.

Elma Dill,
President, Oliver Hazard Perry Chapter,
United States Daughters of
1812; membership 54.

Mrs. Paul H. Goldmann,
President, William B. Travis Chapter,
Daughters of the Republic of Texas;
membership 86.

Miss Irma Robertson,
President, Reuben Hornsby Chapter,
Daughters of the Republic of Texas;
membership 33.

Mrs. Forrest T. Morgan,
President, Albert Sidney Johnston
Chapter, United Daughters of the
Confederacy; membership 185.

RELATIVE TO THE PRODUCTION OF COTTON.

The Speaker laid before the House, for consideration at this time, House concurrent resolution No. 17, relative to the production of cotton, the resolution having heretofore been read second time and referred to the Committee on Agriculture.

Question recurring on the resolution, it was adopted.

REQUESTING RETURN OF SENATE BILL NO. 33.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 11, Requesting return of Senate bill No. 33.

Resolved, That the House be requested to return Senate bill No. 33 to the Senate for further consideration.

The resolution was read second time, and was adopted.

RELATIVE TO THE OKLAHOMA BOUNDARY LINE.

Mr. Young offered the following resolution:

Be it resolved by the House of Representatives, That we reject the compact offered the State of Texas by the State of Oklahoma concerning the location of the 100th meridian; that we favor the retention of the land acquired by the State of Texas from Oklahoma, or what heretofore was thought to be Oklahoma, and no further consideration be given to the negotiations with Oklahoma concerning the possible transfer of this territory; that consideration should be given to the question of bona fide property rights of title holders, actual or prospective, and that such legislation as is necessary to confirm the titles of bona fide claimants be passed, giving the claimants of such land holding titles emanating from sovereignty the preferential right of purchase; that notice be given to the Supreme Court of the United States that the Texas Legislature refuses to enter such a compact with the State of Oklahoma.

Signed—Land, Young, King.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 12, 1930.
Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

H. B. No. 2, A bill to be entitled "An Act relating to the prison system of Texas, and providing for the rehabilitation, renovation and concentration of the prison system of the State of Texas on the present site of the central prison and walls in the city of Huntsville, in Walker county, Texas," etc., with amendment as substituted.

H. C. R. No. 13, Providing for appointment of a joint committee of the House and Senate to examine abstract of title of certain prison properties.

The Senate has refused to adopt

H. C. R. No. 15, Requesting the Governor to appoint a Board of Pardons and Parole, as provided for in a recent act of the Legislature.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

REQUESTING AUDIT OF PENITENTIARY SYSTEM.

Mrs. Moore offered the following resolution:

H. C. R. No. 19, Requesting audit of the penitentiary system.

Whereas, The State prison system is the one State institution upon which the eyes of the people of this State are now centered; and

Whereas, For the past several years there has been before this Legislature various and sundry bills providing many plans for the improvement of the present deplorable conditions of the prison system, none of which were based on a scientific survey of the system, but merely being conclusions of individuals who are laymen and not experts; and

Whereas, The prison system is the State's greatest problem, having 5,000 or more prisoners, expending more than a million dollars each year for support and maintenance, employing many civilians to carry on its operations, having its operations scattered over the State, none of which are located near the seat of government, thus making a very complicated system; and

Whereas, We are now contemplating reorganization of this system, said reorganization to require the expenditure of an enormous sum of money by the taxpayers of this State; and

Whereas, We have in the employment of the State an Auditor and Efficiency Expert, said office having been created May 2, 1929, during which time the Auditor has made or directed the preliminary survey of the structural organization of the State government and has brought in, in an effective way, his findings to the Governor and Legislature, but has not surveyed and audited the prison system; and

Whereas, Should the prison system be reorganized and improved, there should be installed an up-to-date system of auditing, all duplications should be eliminated and the different depart-

ments should be co-ordinated and the entire system be placed on a solid, efficient business basis; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That Mr. Moore Lynn, State Auditor and Efficiency Expert, be requested to immediately begin a survey and audit of the penitentiary system of the State of Texas, after said audit has been made by said official, or under his direction, that he report fully to the Governor and Legislature at the earliest possible date his findings, together with any recommendations that he would consider beneficial to the prison system, which report shall cover detailed information concerning said system, especially with concern to the efficiency of the operation of the system.

Signed—Murphy, Moore, Kenyon.

The resolution was read second time.

Mr. Tillotson moved that the resolution be referred to the Committee on Penitentiaries.

On motion of Mr. Murphy, the motion by Mr. Tillotson to refer the resolution was tabled.

Question then recurring on the resolution, it was adopted.

SENATE BILL NO. 12 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 12, A bill to be entitled "An Act amending Article 3936 of the Revised Civil Statutes of 1925, so as to fix certain fees of constables, and declaring an emergency."

The bill was read second time.

(Pending consideration of the bill, Mr. Allred occupied the chair temporarily.)

(Speaker in the chair.)

Question recurring on the passage of the bill to third reading, yeas and nays were demanded.

Senate bill No. 12 was then passed to third reading by the following vote:

Yeas—68.

Mr. Speaker.	Carpenter.
Acker.	Chastain.
Albritton.	Coltrin.
Allred.	Conway.
Baker.	Cox of Lamar.
Barnett.	Cox of Limestone.
Bateman.	Enderby.
Bounds.	Finlay.
Bradley.	Forbes.

Fuchs.	Negley.
Gates.	Olsen.
Gilbert.	Palmer.
Graves	Patterson.
of Williamson.	Pavlica.
Graves of Erath.	Pope of Jones.
Hardy.	Ray.
Harman.	Reader.
Harper.	Renfro.
Holder.	Riley.
Hopkins.	Rogers.
Johnson	Shaver.
of Dallam.	Shelton.
Johnson	Sinks.
of Dimmit.	Speck.
Johnson of Scurry.	Storey.
Kayton.	Tarwater.
Keller.	Terrell.
Kennedy.	Tillotson.
Land.	Turner.
Long of Houston.	Van Zandt.
Loy.	Walters.
Mankin.	Westbrook.
Marks.	Williams
McCombs.	of Hardin.
Mehl.	Williams
Metcalf.	of Travis.
Murphy.	

Nays—36.

Ackerman.	McGill.
Adkins.	Moore.
Avis.	Mosely.
Beck.	Nicholson.
Brice.	Purl.
Brooks.	Quinn.
Eickenroht.	Richardson.
Harding.	Rountree.
Hubbard.	Sanders.
Jenkins.	Sherrill.
Justiss.	Simmons.
Kenyon.	Snelgrove.
Kincaid.	Stephens.
Kinnear.	Stevenson.
Lee.	Veatch.
Long of Wichita.	Waddell.
Mauritz.	Wallace.
Maynard.	Woodruff.

Present—Not Voting.

Davis.	Harrison.
Duvall.	

Absent.

Anderson.	King.
Bond.	Lemens.
Dunlap.	Magee.
Farrar.	McDonald.
Giles.	Minor.
Heaton.	Montgomery.
Hefley.	Morse.
Hines.	Mullally.
Hogg.	O'Neill.
Hornaday.	Petsch.
Jones.	Pool.
Keeton.	Pope of Nueces.

Reid.	West.
Thompson.	Wiggs.
Warwick.	Young.
Webb.	

Absent—Excused.

Baldwin.	McKean.
DeWolfe.	Prendergast.
Ewing.	Savage.
Finn.	Strong.
Johnson of Smith.	Williams
Kemble.	of Sabine.
Martin.	

SENATE BILL NO. 12 ON THIRD READING.

Mr. Keller moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 12 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Mr. Speaker.	Keeton.
Acker.	Keller.
Adkins.	Kennedy.
Albritton.	Kenyon.
Allred.	Kincaid.
Baker.	King.
Bateman.	Land.
Beck.	Long of Houston.
Bounds.	Long of Wichita.
Bradley.	Loy.
Brooks.	Mankin.
Carpenter.	Marks.
Chastain.	McCombs.
Coltrin.	McDonald.
Conway.	McGill.
Cox of Lamar.	Mehl.
Cox of Limestone.	Metcalf.
Enderby.	Moore.
Finlay.	Mosely.
Forbes.	Murphy.
Fuchs.	Negley.
Gates.	Nicholson.
Gilbert.	Olsen.
Graves	Palmer.
of Williamson.	Patterson.
Graves of Erath.	Pavlica.
Hardy.	Pope of Jones.
Harman.	Purl.
Harper.	Quinn.
Heaton.	Ray.
Hogg.	Reader.
Holder.	Renfro.
Hopkins.	Riley.
Hubbard.	Rogers.
Johnson	Sanders.
of Dallam.	Shaver.
Johnson	Shelton.
of Dimmit.	Simmons.
Johnson of Scurry.	Sinks.
Kayton.	Speck.

Stevenson.
Storey.
Tarwater.
Terrell.
Tillotson.
Turner.
Van Zandt.
Wallace.

Walters.
West.
Westbrook.
Williams
of Hardin.
Williams
of Travis.
Woodruff.

Nays—15.

Ackerman.
Avis.
Brice.
Harding.
Jenkins.
Justiss.
Lee.
Mauritz.

Maynard.
Richardson.
Rountree.
Snelgrove.
Stephens.
Veatch.
Waddell.

Absent.

Anderson.
Barnett.
Bond.
Davis.
Dunlap.
Duvall.
Eickenroht.
Farrar.
Giles.
Harrison.
Hefley.
Hines.
Hornaday.
Jones.
Kinnear.
Lemens.

Magee.
Minor.
Montgomery.
Morse.
Mullally.
O'Neill.
Petsch.
Pool.
Pope of Nueces.
Reid.
Sherrill.
Thompson.
Warwick.
Webb.
Wiggs.
Young.

Absent—Excused.

Baldwin.
DeWolfe.
Ewing.
Finn.
Johnson of Smith.
Kemble.
Martin.

McKean.
Prendergast.
Savage.
Strong.
Williams
of Sabine.

The Speaker then laid Senate bill No. 12 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—76.

Mr. Speaker.
Acker.
Albritton.
Allred.
Baker.
Barnett.
Bateman.
Bounds.
Bradley.
Carpenter.
Chastain.
Coltrin.

Conway.
Cox of Lamar.
Cox of Limestone.
Enderby.
Finlay.
Forbes.
Fuchs.
Gates.
Gilbert.
Graves
of Williamson.
Graves of Erath.

Hardy.
Harman.
Harper.
Harrison.
Hogg.
Holder.
Hopkins.
Hornaday.
Hubbard.
Johnson
of Dallam.
Johnson
of Dimmit.
Johnson of Scurry.
Justiss.
Kayton.
Keller.
Kinnear.
Long of Houston.
Long of Wichita.
Loy.
Mankin.
Marks.
McCombs.
McDonald.
Mehl.
Murphy.
Negley.
Olsen.

Palmer.
Patterson.
Pavlica.
Pope of Jones.
Ray.
Reader.
Renfro.
Riley.
Rogers.
Rountree.
Shaver.
Shelton.
Simmons.
Sinks.
Speck.
Storey.
Tarwater.
Terrell.
Tillotson.
Turner.
Van Zandt.
Walters.
West.
Westbrook.
Williams
of Hardin.
Williams
of Travis.

Nays—27.

Ackerman.
Adkins.
Avis.
Beck.
Brice.
Brooks.
Davis.
Harding.
Heaton.
Jenkins.
Kenyon.
Kincaid.
Lee.
Maynard.

McGill.
Moore.
Mosely.
Nicholson.
Purl.
Quinn.
Richardson.
Sanders.
Sherrill.
Snelgrove.
Stephens.
Veatch.
Wallace.
Woodruff.

Absent.

Anderson.
Bond.
Dunlap.
Duvall.
Eickenroht.
Farrar.
Giles.
Hefley.
Hines.
Jones.
Keeton.
Kennedy.
King.
Land.
Lemens.
Magee.
Mauritz.

Metcalf.
Minor.
Montgomery.
Morse.
Mullally.
O'Neill.
Petsch.
Pool.
Pope of Nueces.
Reid.
Stevenson.
Thompson.
Waddell.
Warwick.
Webb.
Wiggs.
Young.

Absent—Excused.

Baldwin.

DeWolfe.

Ewing.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Williams
Martin.	of Sabine.
McKean.	

Mr. Keller moved to reconsider the vote by which the bill was passed, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 12, 1930.
Hon. W. S. Barron, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 21, A bill to be entitled "An Act requiring certain independent school districts to contribute to the expense of the county superintendent's office, and declaring an emergency."

S. C. R. No. 10, Pledging support to certain efforts to improve agricultural conditions.

Respectfully,
MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL NO. 4 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 4, A bill to be entitled "An Act providing that in all counties where the county attorney performs the duties of the county attorney and district attorney, the county attorney may appoint one or more assistants who need not possess the qualifications provided for county attorneys; providing for the manner of appointments and payment of said assistants, and providing that said assistants may be appointed according to population, and declaring an emergency."

The bill was read second time.

Mr. Wallace offered the following amendment to the bill:

Amend Senate bill No. 4 by adding the following at the end of Section 1: "Provided, that this act shall not apply in any case where the district attorney actually in fact performs the duties, or any part thereof, in such county."

The amendment was adopted.

Senate bill No. 4 was then passed to third reading by the following vote:

Yeas—102.

Mr. Speaker.	Lee.
Acker.	Lemens.
Adkins.	Long of Houston.
Albritton.	Loy.
Allred.	Mankin.
Baker.	Marks.
Barnett.	Maynard.
Bateman.	McDonald.
Beck.	McGill.
Bond.	Mehl.
Bounds.	Metcalfe.
Bradley.	Mosely.
Brice.	Murphy.
Brooks.	Negley.
Carpenter.	Nicholson.
Chastain.	Olsen.
Coltrin.	Palmer.
Conway.	Patterson.
Cox of Lamar.	Pavlica.
Cox of Limestone.	Petsch.
Dunlap.	Pope of Jones.
Enderby.	Pope of Nueces.
Ewing.	Purl.
Eickenroht.	Quinn.
Farrar.	Ray.
Finlay.	Reader.
Forbes.	Renfro.
Fuchs.	Richardson.
Gates.	Riley.
Gilbert.	Rogers.
Graves	Rountree.
of Williamson.	Shelton.
Graves of Erath.	Sherrill.
Hardy.	Simmons.
Harding.	Sinks.
Harper.	Speck.
Heaton.	Stephens.
Hogg.	Stevenson.
Holder.	Tarwater.
Hopkins.	Terrell.
Hornaday.	Tillotson.
Hubbard.	Turner.
Jenkins.	Van Zandt.
Johnson	Waddell.
of Dallace.	Wallace.
Johnson	Walters.
of Dimmit.	Webb.
Johnson of Scurry.	West.
Justiss.	Westbrook.
Kayton.	Williams
Kenyon.	of Hardin.
Kincaid.	Williams
King.	of Travis.
Kinnear.	

Nays—6.

Ackerman.	Kennedy.
Avis.	Snelgrove.
Davis.	Veatch.

Present—Not Voting.

Harrison.

Absent.

Anderson.

Duvall.

Giles.	Moore.
Harman.	Morse.
Hefley.	Mullally.
Hines.	O'Neill.
Jones.	Pool.
Keeton.	Reid.
Keller.	Sanders.
Land.	Shaver.
Long of Wichita.	Storey.
Magee.	Thompson.
Mauritz.	Warwick.
McCombs.	Wiggs.
Minor.	Woodruff.
Montgomery.	Young.

Absent—Excused.

Baldwin.	McKean.
DeWolfe.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Williams
Martin.	of Sabine.

SENATE BILL NO. 4 ON THIRD READING.

Mr. Allred moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 4 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—100.

Mr. Speaker.	Graves of Erath.
Acker.	Hardy.
Adkins.	Harding.
Albritton.	Harper.
Allred.	Harrison.
Baker.	Heaton.
Barnett.	Hogg.
Bateman.	Holder.
Beck.	Hopkins.
Bond.	Hubbard.
Bounds.	Jenkins.
Bradley.	Johnson
Brice.	of Dallam.
Brooks.	Johnson
Carpenter.	of Dimmit.
Chastain.	Johnson of Scurry.
Coltrin.	Kayton.
Conway.	Kenyon.
Cox of Lamar.	Kincaid.
Cox of Limestone.	King.
Dunlap.	Kinnear.
Enderby.	Lee.
Eickenroht.	Long of Houston.
Farrar.	Loy.
Finlay.	Mankin.
Forbes.	Marks.
Fuchs.	Maynard.
Gates.	McDonald.
Gilbert.	McGill.
Graves	Mehl.
of Williamson.	Metcalfe.

Minor.	Sherrill.
Mosely.	Simmons.
Murphy.	Sinks.
Negley.	Speck.
Nicholson.	Stephens.
Olsen.	Stevenson.
Palmer.	Tarwater.
Patterson.	Terrell.
Pavlica.	Tillotson.
Petsch.	Turner.
Pope of Jones.	Van Zandt.
Pope of Nueces.	Waddell.
Quinn.	Wallace.
Ray.	Walters.
Reader.	Webb.
Renfro.	West.
Richardson.	Westbrook.
Riley.	Williams
Rogers.	of Hardin.
Rountree.	Williams
Shaver.	of Travis.
Shelton.	

Nays—6.

Ackerman.	Kennedy.
Avis.	Snelgrove.
Davis.	Veatch.

Absent.

Anderson.	McCombs.
Duvall.	Montgomery.
Giles.	Moore.
Harman.	Morse.
Hefley.	Mullally.
Hines.	O'Neill.
Hornaday.	Pool.
Jones.	Purl.
Justiss.	Reid.
Keeton.	Sanders.
Keller.	Storey.
Land.	Thompson.
Lemens.	Warwick.
Long of Wichita.	Wiggs.
Magee.	Woodruff.
Mauritz.	Young.

Absent—Excused.

Baldwin.	McKean.
DeWolfe.	Prendergast.
Ewing.	Savage.
Finn.	Strong.
Johnson of Smith.	Williams
Kemble.	of Sabine.
Martin.	

The Speaker then laid Senate bill No. 4 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—100.

Mr. Speaker.	Albritton.
Acker.	Allred.
Adkins.	Baker.

Barnett.	Maynard.
Bateman.	McDonald.
Beck.	McGill.
Bond.	Mehl.
Bounds.	Metcalf.
Bradley.	Minor.
Carpenter.	Mosely.
Chastain.	Murphy.
Coltrin.	Negley.
Conway.	Nicholson.
Cox of Lamar.	Olsen.
Cox of Limestone.	Palmer.
Dunlap.	Patterson.
Duvall.	Pavlica.
Enderby.	Petsch.
Farrar.	Pope of Jones.
Finlay.	Pope of Nueces.
Forbes.	Purl.
Fuchs.	Quinn.
Gates.	Ray.
Gilbert.	Reader.
Graves	Renfro.
of Williamson.	Richardson.
Graves of Erath.	Riley.
Hardy.	Rogers.
Harding.	Shaver.
Harper.	Shelton.
Harrison.	Sherrill.
Heaton.	Simmons.
Hogg.	Sinks.
Holder.	Speck.
Hopkins.	Stephens.
Hubbard.	Stevenson.
Johnson	Storey.
of Dallam	Tarwater.
Johnson	Terrell.
of Dimmit.	Tillotson.
Johnson of Scurry.	Turner.
Kayton.	Van Zandt.
Kennedy.	Waddell.
Kenyon.	Wallace.
Kincaid.	Walters.
King.	Webb.
Kinnear.	West.
Lee.	Westbrook.
Lemens.	Williams
Long of Houston.	of Hardin.
Loy.	Williams
Mankin.	of Travis.
Marks.	

Nays—6.

Ackerman.	Jenkins.
Avis.	Snelgrove.
Davis.	Veatch.

Present—Not Voting.

Brice.

Absent.

Anderson.	Hines.
Brooks.	Hornaday.
Eickenroht.	Jones.
Giles.	Justiss.
Harman.	Keeton.
Hefley.	Keller.

Land.	Pool.
Long of Wichita.	Reid.
Magee.	Rountree.
Mauritz.	Sanders.
McCombs.	Thompson.
Montgomery.	Warwick.
Moore.	Wiggs.
Morse.	Woodruff.
Mullally.	Young.
O'Neill.	

Absent—Excused.

Baldwin.	McKean.
DeWolfe.	Prendergast.
Ewing.	Savage.
Finn.	Strong.
Johnson of Smith.	Williams
Kemble.	of Sabine.
Martin.	

HOUSE BILL NO. 2, WITH SENATE AMENDMENTS.

Mr. Shaver called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 2, A bill to be entitled "An Act relating to the prison system of Texas, and providing for the rehabilitation, renovation and concentration of the prison system of the State of Texas on the present site of the central prison and walls in the city of Huntsville, in Walker county, Texas."

The Speaker laid the bill before the House, and the Senate amendments were read.

Mr. Shaver moved that the House do not concur in the Senate amendments and that a free conference committee be requested to adjust the differences between the two houses on the bill.

Mr. Wallace moved that the House concur in the Senate amendments.

Mr. Hardy moved to table the motion by Mr. Wallace.

Question—Shall the motion to table prevail?

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time and referred to the appropriate committee, as follows:

Senate bill No. 21, to the Committee on Education.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 13, Providing for a committee to examine the abstract titles, etc., of penitentiary lands.

RECESS.

On motion of Mr. Patterson, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Brice, House bill No. 62 was ordered not printed.

On motion of Mr. Pope of Jones, Senate bill No. 9 was ordered not printed.

On motion of Mr. Pope of Nueces, House bill No. 59 was ordered not printed.

On motion of Mr. Finlay, House bill No. 72 was ordered not printed.

On motion of Mr. Holder, House bill No. 34 was ordered not printed.

BILL ORDERED PRINTED.

On motion of Mr. Johnson of Dimmit, House bill No. 68, reported adversely, with a minority favorable report, was ordered printed.

PRESENTATION OF GAVEL TO HON. W. S. BARRON.

Mr. Kennedy offered the following resolution:

Whereas, The Chamber of Commerce of the city of Marlin, Texas, and the Manual Training Department of the Marlin high school desire to present to the Speaker of the House a gavel set; therefore, be it

Resolved, That the delegation from the city of Marlin be granted the privilege of the floor for that purpose.

Signed—Kennedy, Harrison.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the following committee to escort the visitors to the Speaker's stand:

Messrs. Kennedy, Holder, Harman, Ray, Cox of Limestone, Westbrook and Wallace.

The committee having performed their duty, the Speaker presented Mr. Harman, who introduced the following visitors to the House:

Mr. Herman Music, director of manual training of the Marlin high school; Mr. James Lenoir and Mr. Sam Dollahite, students of the Marlin high school; Mr. George S. Buchanan, manager of the Chamber of Commerce of Marlin; and Mr. George Carter.

Mr. George Carter then presented Hon. W. S. Barron with a gavel set made by James Lenoir and Sam Dollahite.

Speaker Barron then addressed the House and thanked the donors for the gift.

ADDRESS BY HON. F. O. FULLER.

Mr. Davis offered the following resolution:

Whereas, Hon. F. O. Fuller, a member of the House of Representatives of the Thirtieth, Thirty-first, Thirty-third, Thirty-fourth and Thirty-fifth Legislatures, and Speaker of the House of the Thirty-fifth Legislature, is now within the bar of the House; therefore, be it

Resolved, That he be escorted to a seat on the rostrum and that he be invited to address the House.

Signed—Davis, King, Jenkins, Magee, Tillotson, Pope of Nueces, Metcalfe.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to escort Mr. Fuller to the Speaker's stand:

Messrs. Jenkins, Tillotson, Davis, Metcalfe and Magee.

The committee having performed their duty, Speaker Barron presented Mr. Fuller, who then addressed the House.

(Mr. Sanders in the chair.)

HOUSE BILL NO. 2, WITH SENATE AMENDMENTS.

The House resumed consideration of pending business, same being House bill No. 2, relative to relocating the penitentiary system, with motion by Mr. Shaver that the House do not concur in the Senate amendments, motion by Mr. Wallace that the House do concur in the Senate amendments, and motion by Mr. Hardy to table the motion by Mr. Wallace, pending.

Question first recurring on the motion by Mr. Hardy to table the Senate amendments, it prevailed by the following vote:

Yeas—74.

Acker.	Albritton.
Ackerman.	Allred.

Avis.
Bateman.
Beck.
Bond.
Bounds.
Brice.
Duvall.
Enderby.
Eickenroht.
Farrar.
Finlay.
Fuchs.
Gates.
Gilbert.
Giles.
Graves
of Williamson.
Graves of Erath.
Hardy.
Harding.
Heaton.
Hines.
Hogg.
Hopkins.
Jenkins.
Justiss.
Keller.
Kennedy.
King.
Kinnear.
Long of Houston.
Magee.
Mankin.
Marks.
Maynard.
McCombs.
McDonald.

Mehl.
Minor.
Moore.
Mosely.
Murphy.
Negley.
Olsen.
Palmer.
Patterson.
Pavlica.
Quinn.
Reader.
Renfro.
Richardson.
Rogers.
Shaver.
Sherrill.
Sinks.
Snelgrove.
Stephens.
Stevenson.
Storey.
Tarwater.
Terrell.
Tillotson.
Turner.
Veatch.
Walters.
Webb.
Wiggs.
Williams
of Sabine.
Williams
of Hardin.
Woodruff.
Young.

Nays—44.

Mr. Speaker.
Baker.
Barnett.
Bradley.
Brooks.
Carpenter.
Chastain.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
Forbes.
Harper.
Harrison.
Holder.
Hubbard.
Johnson
of Dallam
Johnson
of Dimmit.
Johnson of Scurry.
Keeton.

Absent.

Adkins.
Anderson.

Dunlap.
Harman.

Hefley.
Hornaday.
Jones.
Kayton.
Kenyon.
Lemens.
Long of Wichita.
Mauritz.
Montgomery.

Mullally.
O'Neill.
Pool.
Pope of Nueces.
Reid.
Thompson.
Warwick.
Williams
of Travis.

Absent—Excused.

Baldwin.
DeWolfe.
Ewing.
Finn.
Johnson of Smith.
Kemble.

Martin.
McKean.
Prendergast.
Savage.
Strong.

Mr. Kennedy moved to reconsider the vote by which the amendment was tabled, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Holder then moved to table the motion by Mr. Shaver.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—43.

Mr. Speaker.
Baker.
Barnett.
Bradley.
Brooks.
Carpenter.
Chastain.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
Enderby.
Forbes.
Harper.
Holder.
Johnson
of Dallam
Johnson
of Dimmit.
Johnson of Scurry.
Justiss.
Keeton.

Kincaid.
Land.
Lee.
Loy.
McGill.
Metcalf.
Morse.
Nicholson.
Petsch.
Pope of Jones.
Purl.
Ray.
Riley.
Rountree.
Shelton.
Speck.
Tillotson.
Van Zandt.
Waddell.
Wallace.
West.
Westbrook.

Nays—71.

Acker.
Ackerman.
Albritton.
Allred.
Avis.
Bateman.
Beck.
Bond.
Bounds.
Brice.
Duvall.
Eickenroht.

Farrar.
Finlay.
Fuchs.
Gates.
Gilbert.
Giles.
Graves
of Williamson.
Graves of Erath.
Hardy.
Harding.
Heaton.

Hines.	Quinn.
Hogg.	Reader.
Hopkins.	Renfro.
Hubbard.	Richardson.
Jenkins.	Rogers.
Keller.	Shaver.
Kennedy.	Sherrill.
King.	Simmons.
Long of Houston.	Sinks.
Magee.	Snelgrove.
Mankin.	Stephens.
Marks.	Stevenson.
Maynard.	Storey.
McCombs.	Tarwater.
McDonald.	Terrell.
Mehl.	Turner.
Minor.	Veatch.
Moore.	Walters.
Mosely.	Webb.
Murphy.	Wiggs.
Negley.	Williams
Olsen.	of Sabine.
Palmer.	Williams
Patterson.	of Hardin.
Pavlica.	Woodruff.
Pope of Nueces.	Young.

Absent.

Adkins.	Long of Wichita.
Anderson.	Mauritz.
Dunlap.	Montgomery.
Harman.	Mullally.
Harrison.	O'Neill.
Hefley.	Pool.
Hornaday.	Reid.
Jones.	Sanders.
Kayton.	Thompson.
Kenyon.	Warwick.
Kinnear.	Williams
Lemens.	of Travis.

Absent—Excused.

Baldwin.	Martin.
DeWolfe.	McKean.
Ewing.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	

Question then recurring on the motion by Mr. Shaver, it prevailed.

Mr. Shaver moved to reconsider the vote by which the motion was adopted, and to table the motion to reconsider.

The motion to table prevailed.

(Speaker in the chair.)

In accordance with the above action, the Speaker announced the appointment of the following conference committee:

Messrs. Graves of Williamson, Shaver, King, Murphy and Wallace.

(Mr. Sanders in the chair.)

SENATE BILL NO. 51 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 51, A bill to be entitled "An Act to create Maverick County Water Control and Improvement District No. 1, embracing lands in the county of Maverick, in the State of Texas, as a conservation and reclamation district and body politic and corporate under Section 59, Article 16, of the Constitution, and defining its boundaries; validating and approving all orders made by the board of directors and other authorities in respect to the establishment or organization of said district, as well as proceedings had in respect of the election and/or appointment of officers therefor; validating and approving all orders made and contracts executed by the board of directors of said district in respect to any matter or subject pertinent to the creation, establishment, organization, maintenance and/or operation of said district; validating the authorization and voting of certain bonds thereof and taxes authorized for their payment; and providing for the issuance of said bonds and for their payment by the annual levy, assessment and collection of taxes upon all taxable property in said district; validating and approving notices, reports, orders, resolutions, extensions and decrees of the board of directors and other proper officials and official boards and/or courts in respect of said district; the bonds and/or taxes thereof, or certified copies thereof, and constituting such orders, reports, notices, resolutions and decrees as legal evidence; enacting other provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 51 ON THIRD READING.

Mr. Johnson of Dimmit moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 51 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Acker.

Ackerman.

Albritton.	McCombs.
Allred.	McGill.
Anderson.	Mehl.
Avis.	Metcalfe.
Baker.	Minor.
Barnett.	Moore.
Bateman.	Morse.
Beck.	Mosely.
Bond.	Murphy.
Bounds.	Negley.
Bradley.	Nicholson.
Brooks.	Olsen.
Carpenter.	Palmer.
Chastain.	Patterson.
Coltrin.	Pavlica.
Conway.	Petsch.
Cox of Lamar.	Pope of Jones.
Cox of Limestone.	Pope of Nueces.
Davis.	Purl.
Duvall.	Quinn.
Enderby.	Ray.
Farrar.	Reader.
Forbes.	Riley.
Fuchs.	Rogers.
Gilbert.	Rountree.
Graves of Erath.	Sanders.
Hardy.	Shaver.
Harding.	Shelton.
Harper.	Sherrill.
Harrison.	Simmons.
Heaton.	Sinks.
Hogg.	Snelgrove.
Holder.	Speck.
Hubbard.	Stephens.
Jenkins.	Stevenson.
Johnson	Storey.
of Dallam.	Tarwater.
Johnson	Terrell.
of Dimmit.	Tillotson.
Johnson of Scurry.	Turner.
Justiss.	Van Zandt.
Kayton.	Veatch.
Keeton.	Waddell.
Keller.	Walters.
Kennedy.	Webb.
Kincaid.	West.
King.	Wiggs.
Kinnear.	Williams
Land.	of Sabine.
Lee.	Williams
Long of Houston.	of Hardin.
Loy.	Williams
Magee.	of Travis.
Mankin.	Woodruff.
Marks.	Young.
Maynard.	

Present—Not Voting.

Brice.

Absent.

Mr. Speaker.	Giles.
Adkins.	Graves
Dunlap.	of Williamson.
Eickenroht.	Harman.
Finlay.	Hefley.
Gates.	Hines.

Hopkins.	Mullally.
Hornaday.	O'Neill.
Jones.	Pool.
Kenyon.	Reid.
Lemens.	Renfro.
Long of Wichita.	Richardson.
Mauritz.	Thompson.
McDonald.	Warwick.
Montgomery.	Westbrook.

Absent—Excused.

Baldwin.	Martin.
DeWolfe.	McKean.
Ewing.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Wallace.

The Speaker then laid Senate bill No. 51 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—107.

Acker.	Hubbard.
Ackerman.	Jenkins.
Albritton.	Johnson
Allred.	of Dallam.
Anderson.	Johnson
Avis.	of Dimmit.
Baker.	Johnson of Scurry.
Barnett.	Justiss.
Bateman.	Kayton.
Beck.	Keeton.
Bond.	Keller.
Bounds.	Kennedy.
Bradley.	Kincaid.
Brooks.	King.
Carpenter.	Kinnear.
Chastain.	Land.
Coltrin.	Lee.
Conway.	Long of Houston.
Cox of Lamar.	Loy.
Cox of Limestone.	Magee.
Davis.	Mankin.
Duvall.	Marks.
Enderby.	Mauritz.
Eickenroht.	Maynard.
Farrar.	McDonald.
Finlay.	McGill.
Forbes.	Mehl.
Fuchs.	Metcalfe.
Gates.	Minor.
Gilbert.	Moore.
Graves	Morse.
of Williamson.	Mosely.
Graves of Erath.	Murphy.
Hardy.	Negley.
Harding.	Nicholson.
Harper.	Olsen.
Harrison.	Palmer.
Heaton.	Patterson.
Hogg.	Pavlica.
Holder.	Pope of Jones.

Pope of Nueces.	Tarwater.
Purl.	Terrell.
Quinn.	Tillotson.
Ray.	Turner.
Reader.	Van Zandt.
Renfro.	Waddell.
Riley.	Walters.
Rogers.	Webb.
Rountree.	Wiggs.
Sanders.	Williams
Shelton.	of Sabine.
Simmons.	Williams
Snelgrove.	of Hardin.
Speck.	Williams
Stephens.	of Travis.
Stevenson.	Woodruff.
Storey.	Young.

Nays—1.

McCombs.

Present—Not Voting.

Brice.	West.
Sherrill.	

Absent.

Mr. Speaker.	Montgomery.
Adkins.	Mullally.
Dunlap.	O'Neill.
Giles.	Petsch.
Harman.	Pool.
Hefley.	Reid.
Hines.	Richardson.
Hopkins.	Shaver.
Hornaday.	Sinks.
Jones.	Thompson.
Kenyon.	Veatch.
Lemens.	Warwick.
Long of Wichita.	Westbrook.

Absent—Excused.

Baldwin.	Martin.
DeWolfe.	McKean.
Ewing.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Wallace.

Reason for Vote.

I vote "no" because I think Section 13 of this bill establishes a bad precedent.
McCOMBS.

SENATE BILL NO. 53 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 53, A bill to be entitled "An Act authorizing the commissioners court of Knox county to fund into bonds of said county certain road and bridge warrants outstanding on January 1, 1930."

The bill was read second time.

Mr. Murphy offered the following (committee) amendment to the bill:

From and after the taking effect of this act it shall be unlawful for the commissioners court of Knox county to issue, or cause to be issued, any warrant, scrip or other evidence of indebtedness, or to create any debt against the road and bridge fund of said county, except as authorized by this act, in excess of the current revenues of said county for road and bridge purposes; provided, that in case of great calamity, said court may issue warrants against the road and bridge fund in excess of the current revenues for the purpose of repairing roads and building bridges occasioned by such calamity but in no instance shall such warrants exceed the limitations provided by the Constitution and laws of this State; and provided further, that no warrant shall be issued for such purposes until first authorized by order passed by said court; and provided further, that said order shall recite fully the necessity therefor and particularly specify the several purposes for which said warrants are to be issued, which said order shall be spread upon the minutes of said court and shall be published at least one time in some newspaper published in Knox county before said warrants are issued. If no newspaper is being published in said county, then in some newspaper in an adjoining county nearest the county seat of said Knox county.

The amendment was adopted.

(Speaker in the chair.)

Senate bill No. 53 was then passed to third reading.

SENATE BILL NO. 53 ON THIRD READING.

Mr. Woodruff moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 53 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104.

Mr. Speaker.	Bounds.
Acker.	Bradley.
Ackerman.	Brice.
Albritton.	Brooks.
Allred.	Carpenter.
Anderson.	Chastain.
Avis.	Coltrin.
Barnett.	Conway.
Bateman.	Cox of Lamar.
Beck.	Cox of Limestone.

Davis.	Moore.
Duvall.	Morse.
Enderby.	Mosely.
Farrar.	Negley.
Finlay.	Nicholson.
Forbes.	Olsen.
Fuchs.	Palmer.
Gilbert.	Pavlica.
Giles.	Petsch.
Graves	Pope of Jones.
of Williamson.	Pope of Nueces.
Graves of Erath.	Purl.
Harding.	Quinn.
Harper.	Ray.
Harrison.	Reader.
Heaton.	Renfro.
Hines.	Rogers.
Hogg.	Rountree.
Holder.	Sanders.
Hubbard.	Shelton.
Jenkins.	Sherrill.
Johnson	Simmons.
of Dallam.	Sinks.
Johnson	Snelgrove.
of Dimmit.	Speck.
Johnson of Scurry.	Stephens.
Justiss.	Stevenson.
Kayton.	Storey.
Keeton.	Tarwater.
Keller.	Terrell.
Kincaid.	Tillotson.
King.	Turner.
Kinnear.	Van Zandt.
Land.	Waddell.
Long of Houston.	Walters.
Loy.	Webb.
Magee.	West.
Mankin.	Wiggs.
Marks.	Williams
Maynard.	of Sabine.
McCombs.	Williams
McDonald.	of Hardin.
McGill.	Williams
Mehl.	of Travis.
Metcalfe.	Woodruff.
Minor.	Young.

Present—Not Voting.

Kennedy.

Absent.

Adkins.	Mauritz.
Baker.	Montgomery.
Bond.	Mullally.
Dunlap.	Murphy.
Eickenroht.	O'Neill.
Gates.	Patterson.
Hardy.	Pool.
Harman.	Reid.
Hefley.	Richardson.
Hopkins.	Riley.
Hornaday.	Shaver.
Jones.	Thompson.
Kenyon.	Veatch.
Lee.	Warwick.
Lemens.	Westbrook.
Long of Wichita.	

Absent—Excused.

Baldwin.	Martin.
DeWolfe.	McKean.
Ewing.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Wallace.

The Speaker then laid Senate bill No. 53 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—103.

Mr. Speaker.	Keeton.
Acker.	Keller.
Ackerman.	Kincaid.
Albritton.	King.
Allred.	Kinnear.
Anderson.	Land.
Avis.	Lee.
Barnett.	Loy.
Bateman.	Magee.
Beck.	Mankin.
Bond.	Marks.
Bounds.	Maynard.
Bradley.	McCombs.
Brice.	McDonald.
Brooks.	McGill.
Carpenter.	Mehl.
Chastain.	Metcalfe.
Coltrin.	Minor.
Conway.	Moore.
Cox of Lamar.	Morse.
Cox of Limestone.	Mosely.
Davis.	Nicholson.
Enderby.	Olsen.
Farrar.	Pavlica.
Finlay.	Petsch.
Forbes.	Pope of Jones.
Fuchs.	Pope of Nueces.
Gilbert.	Purl.
Giles.	Quinn.
Graves	Ray.
of Williamson.	Reader.
Graves of Erath.	Renfro.
Hardy.	Rountree.
Harding.	Shelton.
Harman.	Sherrill.
Harper.	Simmons.
Harrison.	Sinks.
Heaton.	Snelgrove.
Hines.	Speck.
Hogg.	Stephens.
Holder.	Storey.
Hornaday.	Tarwater.
Hubbard.	Terrell.
Jenkins.	Tillotson.
Johnson	Turner.
of Dallam.	Van Zandt.
Johnson	Veatch.
of Dimmit.	Waddell.
Johnson of Scurry.	Walters.
Justiss.	Webb.
Kayton.	West.

Westbrook.
Wiggs.
Williams
of Sabine.
Williams
of Hardin.

Williams
of Travis.
Woodruff.
Young.

Absent.

Adkins.
Baker.
Dunlap.
Duvall.
Eickenroht.
Gates.
Hefley.
Hopkins.
Jones.
Kennedy.
Kenyon.
Lemens.
Long of Houston.
Long of Wichita.
Mauritz.
Montgomery.

Mullally.
Murphy.
Negley.
O'Neill.
Palmer.
Patterson.
Pool.
Reid.
Richardson.
Riley.
Rogers.
Sanders.
Shaver.
Stevenson.
Thompson.
Warwick.

Absent—Excused.

Baldwin.
DeWolfe.
Ewing.
Finn.
Johnson of Smith.
Kemble.
Martin.
McKean.
Prendergast.
Savage.
Strong.
Wallace.

SENATE BILL NO. 55 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 55, A bill to be entitled "An Act to validate the extension of the corporate limits of cities having a population of not less than 11,000 and not more than 11,500, according to the 1920 United States census, and located in counties situated on a boundary of the State of Texas, either wherein said extension of territory was attempted under statutes providing for the consolidation of cities of more than 5,000 population, and wherein in the act of extending said corporate limits said city has included all of the territory of an adjoining city of less than 5,000 and/or wherein said extension of territory was attempted under charter provisions which provide for the annexation of adjoining territory with specific reference to the fact that the adjoining territory is included in an incorporated city, and to validate all proceedings, actions, resolutions, elections and ordinances taken or made in reference thereto or pursuant thereto, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 55 ON THIRD READING.

Mr. Hubbard moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 55 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	King.
Acker.	Kinnear.
Ackerman.	Land.
Albritton.	Lee.
Allred.	Loy.
Anderson.	Magee.
Avis.	Mankin.
Barnett.	Marks.
Bateman.	Maynard.
Beck.	McCombs.
Bond.	McDonald.
Bounds.	McGill.
Bradley.	Mehl.
Brice.	Metcalfe.
Brooks.	Minor.
Carpenter.	Moore.
Chastain.	Morse.
Coltrin.	Mosely.
Conway.	Murphy.
Cox of Lamar.	Nicholson.
Cox of Limestone.	Olsen.
Davis.	Palmer.
Enderby.	Pavlica.
Farrar.	Petsch.
Finlay.	Pope of Jones.
Forbes.	Pope of Nueces.
Fuchs.	Purl.
Gates.	Quinn.
Gilbert.	Ray.
Giles.	Reader.
Graves of Erath.	Renfro.
Hardy.	Rogers.
Harding.	Rountree.
Harper.	Shelton.
Harrison.	Sherrill.
Heaton.	Simmons.
Hines.	Sinks.
Hogg.	Snelgrove.
Holder.	Speck.
Hornaday.	Stephens.
Hubbard.	Stevenson.
Jenkins.	Storey.
Johnson	Tarwater.
of Dallam.	Terrell.
Johnson	Tillotson.
of Dimmit.	Turner.
Johnson of Scurry.	Van Zandt.
Justiss.	Veatch.
Kayton.	Waddell.
Keeton.	Walters.
Keller.	Webb.
Kincaid.	West.

Wiggs.
Williams
of Sabine.
Williams
of Hardin.

Williams
of Travis.
Woodruff.
Young.

Absent.

Adkins.
Baker.
Dunlap.
Duvall.
Eickenroht.
Graves
of Williamson.
Harman.
Hefley.
Hopkins.
Jones.
Kennedy.
Kenyon.
Lemens.
Long of Houston.
Long of Wichita.

Mauritz.
Montgomery.
Mullally.
Negley.
O'Neill.
Patterson.
Pool.
Reid.
Richardson.
Riley.
Sanders.
Shaver.
Thompson.
Warwick.
Westbrook.

Absent—Excused.

Baldwin.
DeWolfe.
Ewing.
Finn.
Johnson of Smith.
Kemble.

Martin.
McKean.
Prendergast.
Savage.
Strong.
Wallace.

The Speaker then laid Senate bill No. 55 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—105.

Mr. Speaker.
Acker.
Ackerman.
Albritton.
Allred.
Anderson.
Avis.
Barnett.
Bateman.
Beck.
Bond.
Bounds.
Bradley.
Brice.
Brooks.
Carpenter.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Davis.
Duvall.
Enderby.
Farrar.
Finlay.
Forbes.
Fuchs.

Gates.
Gilbert.
Giles.
Graves of Erath.
Hardy.
Harding.
Harman.
Harper.
Harrison.
Heaton.
Hines.
Hogg.
Holder.
Hornaday.
Hubbard.
Jenkins.
Johnson
of Dallam.
Johnson
of Dimmit.
Johnson of Scurry.
Kayton.
Keeton.
Keller.
Kincaid.
King.
Kinnear.

Land.
Lee.
Long of Houston.
Loy.
Magee.
Mankin.
Marks.
Maynard.
McDonald.
McGill.
Mehl.
Metcalf.
Minor.
Moore.
Morse.
Mosely.
Nicholson.
Olsen.
Palmer.
Pavlica.
Pope of Jones.
Pope of Nueces.
Purl.
Quinn.
Ray.
Reader.
Richardson.
Rogers.

Rountree.
Sanders.
Shelton.
Sherrill.
Simmons.
Sinks.
Snelgrove.
Speck.
Stephens.
Storey.
Tarwater.
Terrell.
Tillotson.
Turner.
Van Zandt.
Veatch.
Waddell.
Walters.
Webb.
West.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodruff.
Young.

Nays—1.

Williams
of Hardin.

Present—Not Voting.

Renfro.

Absent.

Adkins.
Baker.
Chastain.
Dunlap.
Eickenroht.
Graves
of Williamson.
Hefley.
Hopkins.
Jones.
Justiss.
Kennedy.
Kenyon.
Lemens.
Long of Wichita.
Mauritz.

McCombs.
Montgomery.
Mullally.
Murphy.
Negley.
O'Neill.
Patterson.
Petsch.
Pool.
Reid.
Riley.
Shaver.
Stevenson.
Thompson.
Warwick.
Westbrook.

Absent—Excused.

Baldwin.
DeWolfe.
Ewing.
Finn.
Johnson of Smith.
Kemble.

Martin.
McKean.
Prendergast.
Savage.
Strong.
Wallace.

SENATE BILL NO. 9 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to third reading,

S. B. No. 9, A bill to be entitled "An Act fixing the compensation of county commissioners in every county having a population of not less than 11,000 nor more than 11,015, according to the 1920 census, and having a property valuation of not less than \$8,252,800 and not more than \$8,252,900, as shown by the approved tax rolls for the year 1929, and prescribing how same shall be paid, and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 9 ON THIRD READING.

Mr. Rountree moved that the constitutional rule requiring bills to be read on three several days be suspended and that Senate bill No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—102.

Mr. Speaker.	Hubbard.
Acker.	Jenkins.
Ackerman.	Johnson
Albritton.	of Dallam.
Allred.	Johnson of Scurry.
Anderson.	Justiss.
Avis.	Kayton.
Barnett.	Keeton.
Bateman.	Keller.
Bond.	Kincaid.
Bounds.	King.
Bradley.	Kinnear.
Brice.	Land.
Brooks.	Lee.
Carpenter.	Long of Houston.
Coltrin.	Loy.
Conway.	Magee.
Cox of Lamar.	Mankin.
Cox of Limestone.	Marks.
Davis.	Maynard.
Enderby.	McCombs.
Farrar.	McDonald.
Forbes.	McGill.
Fuchs.	Metcalf.
Gates.	Moore.
Gilbert.	Morse.
Giles.	Mosely.
Graves	Nicholson.
of Williamson.	Olsen.
Graves of Erath.	Palmer.
Hardy.	Pavlica.
Harding.	Pope of Jones.
Harman.	Pope of Nueces.
Harper.	Purl.
Heaton.	Quinn.
Hines.	Ray.
Hogg.	Reader.
Holder.	Renfro.
Hopkins.	Richardson.
Hornaday.	Rogers.

Rountree.
Sanders.
Shaver.
Shelton.
Sherrill.
Simmons.
Sinks.
Speck.
Stephens.
Storey.
Tarwater.
Terrell.
Tillotson.
Turner.

Van Zandt.
Veatch.
Waddell.
Walters.
Webb.
West.
Wiggs.
Williams
of Sabine.
Williams
of Travis.
Woodruff.
Young.

Nays—2.

Finlay.

Williams
of Hardin.

Absent.

Adkins.
Baker.
Beck.
Chastain.
Dunlap.
Duvall.
Eickenroht.
Harrison.
Hefley.
Johnson
of Dimmit.
Jones.
Kennedy.
Kenyon.
Lemens.
Long of Wichita.
Mauritz.

Mehl.
Minor.
Montgomery.
Mullally.
Murphy.
Negley.
O'Neill.
Patterson.
Petsch.
Pool.
Reid.
Riley.
Snelgrove.
Stevenson.
Thompson.
Warwick.
Westbrook.

Absent—Excused.

Baldwin.
DeWolfe.
Ewing.
Finn.
Johnson of Smith.
Kemble.

Martin.
McKean.
Prendergast.
Savage.
Strong.
Wallace.

The Speaker then laid Senate bill No. 9 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—97.

Mr. Speaker.
Acker.
Ackerman.
Albritton.
Allred.
Anderson.
Barnett.
Bateman.
Beck.
Bond.
Bounds.
Bradley.

Brooks.
Carpenter.
Coltrin.
Conway.
Cox of Lamar.
Cox of Limestone.
Dunlap.
Duvall.
Enderby.
Farrar.
Forbes.
Fuchs.

Gilbert.	Minor.
Giles.	Moore.
Graves	Morse.
of Williamson.	Mosely.
Hardy.	Murphy.
Harding.	Nicholson.
Harman.	Olsen.
Harper.	Palmer.
Harrison.	Pavlica.
Hines.	Pope of Jones.
Hogg.	Pope of Nueces.
Holder.	Purl.
Hopkins.	Ray.
Hornaday.	Reader.
Hubbard.	Rogers.
Johnson	Rountree.
of Dallam.	Sanders.
Johnson	Shaver.
of Dimmit.	Shelton.
Johnson of Scurry.	Simmons.
Justiss.	Sinks.
Kayton.	Speck.
Keller.	Storey.
Kennedy.	Tarwater.
Kincaid.	Terrell.
King.	Tillotson.
Kinnear.	Turner.
Land.	Van Zandt.
Lee.	Waddell.
Long of Houston.	Walters.
Loy.	Webb.
Magee.	Wiggs.
Mankin.	Williams
Marks.	of Sabine.
Maynard.	Williams
McCombs.	of Travis.
McDonald.	Woodruff.
McGill.	Young.
Mehl.	

Nays—14.

Avis.	Quinn.
Brice.	Renfro.
Davis.	Sherrill.
Finlay.	Snelgrove.
Graves of Erath.	Veatch.
Heaton.	West.
Jenkins.	

Present—Not Voting.

Stephens.	Williams
	of Hardin.

Absent.

Adkins.	Metcalf.
Baker.	Montgomery.
Chastain.	Mullally.
Eickenroht.	Negley.
Gates.	O'Neill.
Hefley.	Patterson.
Jones.	Petsch.
Keeton.	Pool.
Kenyon.	Reid.
Lemens.	Richardson.
Long of Wichita.	Riley.
Mauritz.	Stevenson.

Thompson.	Westbrook.
Warwick.	

Absent—Excused.

Baldwin.	Martin.
DeWolfe.	McKean.
Ewing.	Prendergast..
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Wallace.

BILL ORDERED NOT PRINTED.

On motion of Mr. Pope of Nueces, House bill No. 70 was ordered not printed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 12, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to pass:

H. C. R. No. 19, Providing for an audit of the State penitentiary system.

Has passed:

H. C. R. No. 17, Relative to reduction of cotton acreage in 1930.

The Senate grants the request of the House for the appointment of a free conference committee to adjust the differences on House bill No. 2. The following are appointed on part of the Senate:

Senators Witt, DeBerry, Hyer, Cunningham and Beck.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

HOUSE BILL NO. 9 ON SECOND READING.

The Speaker laid before the House, as a special order, on its passage to engrossment,

H. B. No. 9, A bill to be entitled "An Act to amend Articles 2994, 3883, 3886, 3889, 3891, 3892, 3895, 3897, 3899, 3926, 3934, 7331 and 7332 of the Revised Civil Statutes of Texas for 1925, repealing Articles 3887, 3900, 3912 and 3932 of the Revised Civil Statutes of Texas for 1925 and all laws in conflict, all of said amended and repealed articles relative to fees and compensation of county officers, providing any unconstitutional parts of this act shall not affect the remainder, declaring an emergency, and providing said act shall become effective on January 1, 1931."

The bill having been read second time on yesterday.

(Pending consideration of the bill, Mr. Rountree and Mr. Sanders occupied the chair temporarily.)

(Speaker in the chair.)

Mr. Hubbard offered the following amendment to the bill:

Amend House bill No. 9 by striking out all above and below the enacting clause and insert in lieu thereof the following:

A BILL

To Be Entitled

An Act to amend Articles 3891, 3892 and 3897 and repeal Article 3900 all of Revised Civil Statutes of Texas, 1925, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Article 3891, Revised Civil Statutes of Texas, 1925, be amended so as to hereafter read as follows:

Article 3891. Each officer named in this chapter shall first out of the fees of his office pay or be paid the amount allowed him under the provisions of this chapter, together with the salaries of his assistants and deputies. If the fees of such office collected in any year be more than the amount needed to pay the amount allowed such officer and his assistants and deputies, same shall be deemed excess fees and in counties in which the population is less than, and does not exceed thirty-seven thousand five hundred (37,500) inhabitants, such officer shall retain all of such fees until same amounts to the sum of twelve hundred and fifty (\$1250) dollars; and in counties in which the population exceeds thirty-seven thousand five hundred (37,500) inhabitants and is less than and does not exceed one hundred thousand (100,000) inhabitants, such officer shall retain one-fourth of such fees until the one-fourth amounts to the sum of two thousand (\$2000) dollars; and in counties in which the population exceeds one hundred thousand (100,000) inhabitants, and is less than, and does not exceed one hundred fifty thousand (150,000) inhabitants, such officer shall retain one-fourth of such excess fees until such one-fourth, together with the maximum fees allowed by this chapter, shall amount to the sum of ten thousand (\$10,000) dollars; and in counties in which the population exceeds one hundred fifty thousand (150,000) inhabitants, such officer shall

retain one-fourth of such excess fees until such one-fourth, together with the maximum fees allowed by this chapter shall amount to the sum of twelve thousand five hundred (\$12,500). All fees collected by officers named in Article 3883 during any fiscal year in excess of maximum amount allowed by law, and of the amount of excess fees allowed by this article, for their services, and for the services of their deputies or their assistants as herein provided for, shall be paid into the county treasury of the county where the excess accrued, provided that in counties of less than twenty-five thousand (25,000) inhabitants and which constitute a separate judicial district, the chief deputy or the first assistant of the officers named in this chapter, shall receive a sum not to exceed a rate of eighteen hundred (\$1800) dollars per annum, and the other deputies or assistants a sum not to exceed a rate of fifteen hundred (\$1500) dollars per annum, and the limitations as to the pay of deputies and assistants elsewhere provided in this chapter shall not apply in such counties.

The compensation herein fixed for officers shall include all fees and compensation whatever collected by said officers in their official capacity, and shall also include all compensation for certified or uncertified copies of any record or paper, and all fees or compensation for any certificates issued, any law, general or special, to the contrary notwithstanding, and particularly shall include all fees now allowed by law to officers pertaining to delinquent taxes and tax certificates, but this enumeration shall not be construed so as to exclude any other fees from the operation of this article. The compensation herein fixed for sheriffs shall be exclusive of any reward received for the apprehension of criminals or fugitives from justice. The maximum fees for the compensation of district attorneys and criminal district attorneys shall be inclusive of the salary allowed such attorneys by the Constitution. The maximum fees for the compensation for county judges and justices of the peace shall be exclusive of any compensation received for performing marriage ceremonies, which amount shall not be accountable for and not required to be reported as fees of office.

Sec. 2. Article 3892 of the Revised Civil Statutes of Texas for 1925 is hereby amended so that the same shall hereafter read as follows:

Article 3892. Failure to Collect Maximum.—Any officer mentioned in Article 3883 who does not collect the maximum amount of his fees for any fiscal year and who reports delinquent fees for that year, shall be entitled to retain, when collected, such part of such delinquent fees as is sufficient to complete the maximum compensation authorized by Article 3883 for the year in which delinquent fees were charged, and also retain amount of excess fees authorized by law, and the remainder of the delinquent fees for that fiscal year shall be paid as herein provided for when collected; provided, the provisions of this article shall not apply to any officer after one year from the date he ceases to hold the office to which any delinquent fee is due, and in the event the officer earning the fees that are delinquent has not collected the same within twelve months after he ceases to hold the office, the amount of fees collected shall be paid into the county treasury.

Sec. 3. That Article 3897, Revised Civil Statutes of Texas, 1925, be amended so as hereafter to read as follows:

Article 3897. Each officer mentioned in Article 3883 shall at the close of each fiscal year make to the district court of the county in which he resides, by filing with the district clerk, a sworn statement showing the amount of fees collected by him during the fiscal year, and the amount of fees charged and not collected, and by whom due, and the number of deputies and assistants employed by him during the year, and the amount paid, or to be paid each. Such statement shall include all fees and compensations whatever collected by said officer even though heretofore exempt from the provisions of any law. Said report shall be filed not later than January 31st following the close of the fiscal year, and for each day after said date said report has not been filed, said officer shall be liable to a penalty of twenty-five (\$25) dollars, which may be recovered by the county in a suit brought for such purpose. Said report shall be made in duplicate and a copy thereof filed with the county auditor, if any; otherwise, said copy shall be filed with the commissioners court.

Sec. 4. Article 3900, Revised Statutes of Texas, 1925, and all other laws in conflict herewith are hereby expressly repealed.

Sec. 5. If any portion of this act shall be held to be invalid, then the

remainder of said act shall not be affected.

Sec. 6. This act shall take effect and be in force on and after January 1, 1931.

Mr. Hubbard offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9, page 12, line 40, after the word "retain," by striking out "one-fourth of" and adding in lieu thereof the following, "all excess fees until the same amounts to the sum of \$3,000 and of the remaining excess fees, such officer shall retain one-fourth of."

Signed—Hubbard, Purl.

The amendment was adopted.

Mr. Hubbard offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9, page 13, line 2, after the word "chapter," by adding the following, "and said sum of \$3,000."

Signed—Hubbard, Purl.

The amendment was adopted.

Mr. Hubbard offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9, page 13, line 5, after the word "retain," by adding the following, "all excess fees until the same amounts to the sum of \$5,000, and of the remaining excess fees such officer shall retain," and on page 13, line 7, after the word "chapter," add the following, "and said sum of \$5,000."

Signed—Hubbard, Purl.

The amendment was adopted.

Mr. Hubbard offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9, page 14, line 7, after the figures "3,833," by adding the following, "and 3883-A," and on page 14, line 24, after the figures "3883" by adding the following, "and 3883-A."

Signed—Hubbard, Purl.

The amendment was adopted.

Mr. Hubbard offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9, page 14, line 21, after the word "treasury," by adding the following, "provided, however, that nothing in this act precludes the payment of ex-officio in accordance with Title 61 of the Revised Statutes of Texas, 1925, as part of the maximum compensation."

Signed—Hubbard, Purl.

The amendment was adopted.

Mr. Hubbard offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9, page 15, Section 4, line 3, by striking out the word "article" and figures "3900," and adding in lieu thereof the following, "Articles 3900, 3932 and 3894."

Signed—Hubbard, Purl.

The amendment was adopted.

Mr. Purl offered the following amendment to the amendment:

Amend substitute, Section 3, by adding after the word "statement" the following, "in duplicate. Said duplicate shall be forwarded to the State Comptroller by the district clerk within thirty days after same is filed in district clerk's office."

Signed—Purl, Hubbard.

The amendment was adopted.

Mr. Petsch offered the following amendment to the amendment:

Amend the committee amendment by adding between Sections 4 and 5 of same the following, to be known as "Section 4-A" and "Section 4-B," same to read as follows:

Sec. 4-A. Article 3937, Tax Assessor.—Each assessor of taxes shall receive the following compensation for his services, which shall be estimated upon the total value of the property assessed, as follows: For assessing the State and county taxes, on all sums for the first four million dollars (\$4,000,000.00) or less, five cents (5c) for each one hundred dollars (\$100) of property assessed; on sums in excess of four million dollars (\$4,000,000.00) and less than five million dollars (\$5,000,000.00), two and one-half cents (2½ cents) on each one hundred dollars (\$100), and on all sums in excess of five million dollars (\$5,000,000.00), two and one-fourth cents (2¼c) on each one hundred dollars (\$100); one-half of the above fee shall be paid by the State and one-half by the county; for assessing the taxes in all drainage districts, road districts or other political subdivisions of the county the assessor shall be paid three-fifths of one cent (⅔c) for each one hundred dollars (\$100) of the assessed values of such districts or subdivisions; provided, such compensation as is paid to the assessor shall be prorated among the various drainage districts, road districts and other political subdivisions of the county according to the value of the property assessed in each district, or other political subdivision; and for assessing the poll tax, five cents (5c) for

each poll, which shall be paid by the State.

The commissioners court shall allow the assessor of taxes such sums of money, to be paid monthly from the county treasury, as may be necessary to pay for clerical work, taking assessments and making out the tax rolls of the county (such sums so allowed to be deducted from the amount allowed to the assessor as compensation upon the completion of said tax rolls); provided, the amount allowed the assessor by the commissioners court shall not exceed the compensation that may be due by the county to him for assessing.

Sec. 4-B. All laws in conflict herewith are hereby repealed.

The amendment was adopted.

Mr. Snelgrove offered the following amendment to the amendment:

Amend Senate bill No. 9, on page 13, line 3, by striking out "ten thousand dollars (\$10,000)," and substituting therefor "eight thousand dollars (\$8,000)."

The amendment was adopted.

Mr. Purl moved to reconsider the vote by which the amendment by Mr. Snelgrove was adopted, and the motion to reconsider was lost.

Mr. Anderson offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9, Section 1, Article 3891, on page 3, line 6, by adding the following sentence: "Provided, that no constable shall receive any fee for any arrest made without the confines of his precinct and without a warrant, nor shall any justice of the peace receive a fee on any complaints filed by any such constable where the offense was committed outside said constable's precinct."

On motion of Mr. Brooks, the amendment was tabled.

Mr. Johnson of Dimmit offered the following amendment to the amendment:

Amend committee substitute for House bill No. 9 by adding, on page 12, lines 32 and 37, after the word "dollars" the following words in each line, "in addition to the amounts specified in Article 3883."

Signed—Johnson of Dimmit, Stevenson.

The amendment was adopted.

Mr. Johnson of Dimmit offered the following amendment to the amendment:

Amend committee substitute for House bill No. 9 by adding, on page 13, line 8, after the figures "\$12,500," by changing the period to a semi-colon, and thereafter add the following words,

"Provided, however, that in any county where under the law the office of sheriff and tax collector are combined, and/or the offices of county and district clerk are combined, that then and in that event only such officer shall be entitled to receive under this article and under Article 3883 the maximum provided for any one of said offices plus 50 per cent of the maximum provided."

The amendment was adopted.

Mr. Minor offered the following amendment to the amendment:

Amend Hubbard substitute to House bill No. 9, page 15, by adding to Section 4 the following: "Provided, however, that nothing herein shall be construed to affect or repeal Chapter 271, Acts of Regular Session, Fortieth Legislature, page 409, relating to fees of county attorneys in certain counties, but shall be cumulative thereof."

The amendment was adopted.

Mr. Keller offered the following amendment to the amendment:

Amend committee amendment to House bill No. 9, on page 13, lines 5 and 6, the words "one-fourth" to "one-half."

Signed—Keller, Beck.

The amendment was lost.

Mr. Beck offered the following amendment to the amendment:

Amend substitute to House bill No. 9 by inserting a new section at the proper place, to read as follows:

"The district or county attorney of any county or district, with a population exceeding 150,000 inhabitants, with the approval of the commissioners court of such county, shall have the right to appoint not more than two assistant county or district attorneys, at a salary of not more than \$350 per month and not more than seven clerks at a salary of not more than \$150 per month, for the purpose of collecting delinquent taxes and such other duties that might be assigned by the district or county attorneys; such work to be carried on under the supervision of the county or district attorneys."

Signed—Beck, Keller, Hubbard.

The amendment was adopted.

Mr. Pope of Nueces offered the following amendment to the amendment:

Amend committee substitute to House bill No. 9 by striking out the words and figures "twelve thousand five hundred dollars" (\$12,500) in lines 7 and 8, page 13, and insert in lieu thereof the following, "ten thousand dollars."

Mr. Keller moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—34.

Mr. Speaker.	McCombs.
Anderson.	Mehl.
Beck.	Metcalfe.
Bounds.	Minor.
Chastain.	Moore.
Coltrin.	Negley.
Conway.	Purl.
Enderby.	Ray.
Eickenroht.	Reader.
Harman.	Riley.
Harrison.	Rountree.
Hopkins.	Sanders.
Hubbard.	Simmons.
Johnson	Sinks.
of Dallam.	Tillotson.
Johnson	Westbrook.
of Dimmit.	Williams
Keller.	of Travis.
Loy.	

Nays—61.

Ackerman.	Land.
Adkins.	Lee.
Albritton.	Long of Wichita.
Allred.	Marks.
Avis.	McDonald.
Baker.	McGill.
Barnett.	Nicholson.
Bateman.	Olsen.
Bond.	Pavlica.
Brice.	Petsch.
Carpenter.	Pope of Jones.
Cox of Lamar.	Pope of Nueces.
Cox of Limestone.	Quinn.
Davis.	Renfro.
Duvall.	Richardson.
Farrar.	Rogers.
Finlay.	Sherrill.
Forbes.	Snelgrove.
Fuchs.	Speck.
Gates.	Stephens.
Giles.	Stevenson.
Harding.	Tarwater.
Harper.	Turner.
Hines.	Veatch.
Hornaday.	Walters.
Johnson of Scurry.	West.
Justiss.	Wiggs.
Kennedy.	Williams
Kincaid.	of Sabine.
King.	Woodruff.
Kinnear.	Young.

Present—Not Voting.

Jenkins.	Webb.
Murphy.	Williams
Storey.	of Hardin.

Absent.

Acker.	Bradley.
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Brooks.	Mauritz.
Dunlap.	Maynard.
Gilbert.	Montgomery.
Graves	Morse.
of Williamson.	Mosely.
Graves of Erath.	Mullally.
Hardy.	O'Neill.
Heaton.	Palmer.
Hefley.	Patterson.
Hogg.	Pool.
Holder.	Reid.
Jones.	Shaver.
Kayton.	Shelton.
Keeton.	Terrell.
Kenyon.	Thompson.
Lemens.	Van Zandt.
Long of Houston.	Waddell.
Magee.	Warwick.
Mankin.	

Absent—Excused.

Baldwin.	Martin.
DeWolfe.	McKean.
Ewing.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Wallace.

Mr. Duvall moved to reconsider the vote by which the House refused to table the motion by Mr. Pope of Nueces.

Mr. Pope of Nueces moved to table the motion to reconsider.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—47.

Albritton.	Nicholson.
Allred.	Olsen.
Avis.	Pavlica.
Baker.	Petsch.
Bateman.	Pope of Jones.
Bond.	Pope of Nueces.
Bounds.	Renfro.
Brice.	Richardson.
Davis.	Rogers.
Farrar.	Sinks.
Fuchs.	Snelgrove.
Giles.	Speck.
Harper.	Stephens.
Hines.	Stevenson.
Hornaday.	Tarwater.
Jenkins.	Terrell.
Justiss.	Veatch.
Kennedy.	Walters.
Kincaid.	Webb.
King.	West.
Long of Wichita.	Wiggs.
Marks.	Williams
McDonald.	of Hardin.
McGill.	Woodruff.

Nays—58.

Mr. Speaker. Ackerman.

Adkins.	Long of Houston.
Anderson.	Loy.
Barnett.	Magee.
Beck.	McCombs.
Brooks.	Mehl.
Carpenter.	Minor.
Chastain.	Moore.
Coltrin.	Murphy.
Conway.	Negley.
Cox of Limestone.	Patterson.
Duvall.	Purl.
Enderby.	Quinn.
Eickenroht.	Ray.
Finlay.	Reader.
Forbes.	Riley.
Gates.	Rountree.
Gilbert.	Sanders.
Harding.	Shaver.
Harrison.	Sherrill.
Holder.	Simmons.
Hopkins.	Storey.
Hubbard.	Tillotson.
Johnson	Turner.
of Dallam.	Van Zandt.
Johnson	Westbrook.
of Dimmit.	Williams
Keller.	of Sabine.
Kinnear.	Williams
Land.	of Travis.
Lee.	Young.

Absent.

Acker.	Lemens.
Bradley.	Mankin.
Cox of Lamar.	Mauritz.
Dunlap.	Maynard.
Graves	Metcalfe.
of Williamson.	Montgomery.
Graves of Erath.	Morse.
Hardy.	Mosely.
Harman.	Mullally.
Heaton.	O'Neill.
Hefley.	Palmer.
Hogg.	Pool.
Johnson of Scurry.	Reid.
Jones.	Shelton.
Kayton.	Thompson.
Keeton.	Waddell.
Kenyon.	Warwick.

Absent—Excused.

Baldwin.	Martin.
DeWolfe.	McKean.
Ewing.	Prendergast.
Finn.	Savage.
Johnson of Smith.	Strong.
Kemble.	Wallace.

Question then recurring on the motion to reconsider, it prevailed by the following vote:

Yeas—61.

Mr. Speaker.	Adkins.
Ackerman.	Anderson.

Barnett.
Beck.
Brice.
Chastain.
Coltrin.
Conway.
Cox of Limestone.
Dunlap.
Duvall.
Enderby.
Eickenroht.
Finlay.
Forbes.
Gates.
Gilbert.
Harding.
Harrison.
Hines.
Holder.
Hopkins.
Hubbard.
Johnson
of Dallam.
Johnson
of Dimmit.
Keller.
Kinnear.
Long of Houston.
Loy.
Magee.
McCombs.

Mehl.
Minor.
Moore.
Murphy.
Negley.
Nicholson.
Patterson.
Purl.
Quinn.
Ray.
Reader.
Richardson.
Riley.
Rountree.
Sanders.
Shaver.
Sherrill.
Simmons.
Storey.
Terrell.
Tillotson.
Turner.
Van Zandt.
Westbrook.
Williams
of Sabine.
Williams
of Hardin.
Williams
of Travis.
Young.

Nays—44.

Albritton.
Allred.
Avis.
Baker.
Bateman.
Bond.
Bounds.
Brooks.
Davis.
Farrar.
Fuchs.
Giles.
Harper.
Hornaday.
Jenkins.
Justiss.
Kennedy.
Kincaid.
King.
Land.
Lee.
Long of Wichita.

Marks.
McDonald.
McGill.
Olsen.
Pavlica.
Petsch.
Pope of Jones.
Pope of Nueces.
Renfro.
Rogers.
Sinks.
Snelgrove.
Speck.
Stephens.
Stevenson.
Tarwater.
Veatch.
Walters.
Webb.
West.
Wiggs.
Woodruff.

Absent.

Acker.
Bradley.
Carpenter.
Cox of Lamar.
Graves
of Williamson.
Graves of Erath.
Hardy.
Harman.

Heaton.
Hefley.
Hogg.
Johnson of Scurry.
Jones.
Kayton.
Keeton.
Kenyon.
Lemens.

Mankin.
Mauritz.
Maynard.
Metcalf.
Montgomery.
Morse.
Mosely.
Mullally.
O'Neill.
Palmer.
Pool.
Reid.
Shelton.
Thompson.
Waddell.
Warwick.

Absent—Excused.

Baldwin.
DeWolfe.
Ewing.
Finn.
Johnson of Smith.
Kemble.
Martin.
McKean.
Prendergast.
Savage.
Strong.
Wallace.

BILLS SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof and their captions had been read severally, the following enrolled bills:

S. B. No. 9, "An Act fixing the compensation of county commissioners in every county having a population of not less than 11,000 nor more than 11,015, according to the 1920 census, and having a property valuation of not less than \$8,252,800 and not more than \$8,252,900, as shown by the approved tax rolls for the year 1929, and prescribing how same shall be paid, and declaring an emergency."

S. B. No. 12, "An Act amending Article 3936 of the Revised Civil Statutes of 1925, so as to fix certain fees of constables, and declaring an emergency."

S. B. No. 55, "An Act to validate the extension of the corporate limits of cities having a population of not less than 11,000 and not more than 11,500, according to the 1920 United States census, and located in counties situated on a boundary of the State of Texas, either wherein said extension of territory was attempted under statutes providing for the consolidation of cities of more than 5,000 population, and wherein in the act of extending said corporate limits said city has included all of the territory of an adjoining city of less than 5,000 and/or wherein said extension of territory was attempted under charter provisions which provide for the annexation of adjoining territory without specific reference to the fact that the adjoining territory is included in an incorporated city, and to validate all proceedings, actions, resolutions, elections and ordinances taken or made in reference thereto or pursuant thereto, and declaring an emergency."

S. B. No. 51, "An Act to create Maverick County Water Control and Im-

provement District No. 1, embracing lands in the county of Maverick, in the State of Texas, as a conservation and reclamation district and body politic and corporate under Section 59, Article 16, of the Constitution, and defining its boundaries; validating and approving all orders made by the board of directors and other authorities in respect to the establishment or organization of said district, as well as all proceedings had in respect of the election and/or appointment of officers therefor; validating and approving all orders made and contracts executed by the board of directors of said district in respect to any matter or subject pertinent to the creation, establishment, organization, maintenance and/or operation of said district; validating the authorization and voting of certain bonds thereof and taxes authorized for their payment; and providing for the issuance of said bonds and for their payment by the annual levy, assessment and collection of taxes upon all taxable property in said district; validating and approving notices, reports, orders, resolutions, extensions and decrees of the board of directors and other proper officials and official boards and/or courts in respect of said district; the bonds and/or taxes thereof, or certified copies thereof, and constituting such orders, reports, notices, resolutions and decrees as legal evidence; enacting other provisions incident and necessary to the subject and purpose of this act, and declaring an emergency."

MESSAGE FROM THE GOVERNOR.

The Speaker laid before the House and had read the following message from the Governor:

Executive Office,
Austin, Texas, February 12, 1930.

To the members of the Forty-first Legislature:

While I feel that there is little possibility of the Legislature having time, during the present session, to dispose of the attached bills, nevertheless I am yielding to the urgent request of interested members to submit them, and I am submitting the same herewith for your consideration.

Respectfully yours,
(Signed) DAN MOODY.

1.

An act amending Articles 5738, 5739, 5743, 5746, 5748 and 5763 of the Revised Civil Statutes of 1925, relating to co-

operative marketing associations, said articles being a portion of what is commonly known as the co-operative marketing act of Texas; declaring that if any section, article or provision of said co-operative marketing act or this act shall be declared to be unconstitutional or invalid for any reason the remainder of the same shall, nevertheless, be in force and effect, and declaring an emergency.

2.

An act providing for State supervision of cotton weighing at cotton compresses; providing for State compress weight supervisors; providing exceptions, penalties, fees to cover expense of administering the act, making appropriation of moneys to carry same into effect, and enacting all provisions and regulations incidental to the subject and purpose of this act, and declaring an emergency.

3.

An act authorizing the commissioners court to pay bounties on wolf scalps in Jack and Wise counties, to preserve game in said counties; enacting the necessary regulations in reference thereto, and declaring an emergency.

4.

An act to provide a period of time when continuity of failure to render land for taxes or otherwise exercise dominion over it shall prima facie prove title in persons paying taxes or exercising dominion over such land, and declaring an emergency.

5.

An act providing for the disposition of oil and gas in lands belonging to the State eleemosynary institutions and State parks, and also providing for the sale of timber and the leasing of any such lands, and declaring an emergency.

6.

An act authorizing commissioners courts in counties in Texas having a population of at least 202,000 inhabitants and less than 210,000 inhabitants, as shown by the census of 1920, to levy a direct tax of not over 5 cents on the valuation of \$100, for the purpose of advertising the cities of the county seats and counties, and providing that all such levy of taxes shall be submitted to the qualified taxpaying voters of the county and a majority vote to be necessary to levy the tax, and declaring an emergency.

7.

To amend Articles 6834, 6835 and 6838, of the Revised Civil Statutes of the State of Texas, 1925, relating to the manner of holding elections for the issuing of seawall bonds and the application of funds under Title 118 of said Revised Civil Statutes, and declaring an emergency.

8.

To amend Section 6, of Chapter 68, of the Acts of the Thirty-sixth Legislature, Regular Session, 1919, relating to the fixing of the shipping district in the area patented by virtue of said act, and providing for determining, defining and fixing the boundary line between the property patented by virtue of said act and property of private citizens along the shore line of Corpus Christi bay; repealing all laws in conflict herewith, and declaring an emergency.

9.

To amend Article 8225, of Chapter 9, Title 128, Revised Civil Statutes of 1925, so as to provide for the purchase by navigation districts from the State of Texas of any lands and flats belonging to said State covered or partly covered by the waters of the bays or other arms of the sea within said district; authorizing the Commissioner of the General Land Office to sell said land at a price of one dollar (\$1) per acre; providing application and the issuance of patents and the disposition of the proceeds of said sale, and declaring an emergency.

10.

An act amending Article 6954 of the Revised Civil Statutes of 1925, as amended, with reference to the mode of preventing horses and certain other animals from running at large, and enumerating the counties in which said article shall apply; omitting from said article the following language: "Provided, that where there is an application to include an entire county, there shall not be less than twelve freeholders from each justice precinct of said county as signers to the petition for such election," and declaring an emergency.

11.

An act to amend an act passed at the Second Called Session of the Forty-first Legislature known as Senate bill No. 138, filed in the office of the Secretary of State on June 24, 1929, being Chapter 73 of the General Laws of the State of

Texas, passed by the Forty-first Legislature at its Second Called Session; authorizing the Board of Regents of the College of Industrial Arts to erect and equip and make contracts for the erection and equipping of dormitories and other improvements on the campus or other real estate purchased or leased for the purpose.

12.

An act amending House bill No. 177, passed by the Second Called Session of the Forty-first Legislature, prescribing the kind of tackle and method of taking fish in certain fresh waters in certain counties, and prohibiting all other tackle.

13.

An act to prohibit the shipment into Texas of any citrus nursery stock grown in the State of Florida; authorizing the Commissioner of Agriculture to make certain investigations, and to permit the shipment of citrus nursery stock from Florida into Texas under certain conditions; prohibiting any railway company, steamship company, express company, motor bus company or any other common or private carrier from delivering in Texas any citrus nursery stock grown in Florida which does not bear copy of permit from the Commissioner of Agriculture authorizing such shipment.

14.

An act to amend Chapter 83, Senate bill No. 179, of the General Laws passed by the Forty-first Legislature at its Second Called Session, by adding at the end of Section 5 of said bill the following: "Provided, however, that the terms of this bill shall not be applied to or affect any student who commenced his studies leading to a degree in any of the State institutions with the required credits prior to the time this bill was enacted into a law, or to any student who on or before September 1, 1929, had credits for at least half the work required for a bachelor's degree, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 12, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 24, A bill to be entitled "An Act amending Article 6954, of the

Revised Civil Statutes of 1925, as amended, with reference to the mode of preventing horses and certain other animals from running at large, and enumerating the counties to which said article shall apply; omitting from said article the following language: 'Provided, that where there is an application to include an entire county, there shall not be less than twelve freeholders from each justice precinct of said county as signers to the petition for such election,' and declaring an emergency."

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time and referred to the appropriate committee, as follows:

Senate bill No. 24, to the Committee on Live Stock and Stock Raising.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Hines, House bill No. 69 was ordered not printed.

On motion of Mr. Olsen, House bill No. 76 was ordered not printed.

ADJOURNMENT.

Mr. Purl moved that the House recess to 9 o'clock a. m. tomorrow.

Mr. Metcalfe moved that the House adjourn until 9 o'clock a. m. tomorrow.

Mr. Patterson moved that the House recess to 8 o'clock p. m. today.

Question first recurring on the motion by Mr. Metcalfe that the House adjourn until 9 o'clock a. m. tomorrow, yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—29.

Albritton.	King.
Allred.	Land.
Baker.	McDonald.
Barnett.	Mehl.
Bateman.	Metcalfe.
Bond.	Murphy.
Bounds.	Pope of Nueces.
Farrar.	Riley.
Forbes.	Tarwater.
Gates.	Tillotson.
Harding.	Webb.
Harman.	Westbrook.
Harper.	Williams
Keller.	of Hardin.
Kennedy.	Young.

Nays—52.

Mr. Speaker.	McGill.
Ackerman.	Minor.
Avis.	Moore.
Beck.	Negley.
Brooks.	Nicholson.
Carpenter.	Olsen.
Chastain.	Pavlica.
Conway.	Petsch.
Cox of Limestone.	Purl.
Davis.	Quinn.
Duvall.	Reader.
Finlay.	Renfro.
Fuchs.	Rogers.
Giles.	Sanders.
Holder.	Shaver.
Hopkins.	Simmons.
Hornaday.	Sinks.
Hubbard.	Speck.
Johnson	Storey.
of Dallam.	Turner.
Johnson	Van Zandt.
of Dimmit.	Wallace.
Justiss.	West.
Kincaid.	Williams
Kinnear.	of Sabine.
Lee.	Williams
Long of Houston.	of Travis.
McCombs.	Woodruff.

Absent.

Acker.	Mankin.
Adkins.	Marks.
Anderson.	Mauritz.
Bradley.	Maynard.
Brice.	Montgomery.
Coltrin.	Morse.
Cox of Lamar.	Mosely.
Dunlap.	Mullally.
Enderby.	O'Neill.
Eickenroht.	Palmer.
Gilbert.	Patterson.
Graves	Pool.
of Williamson.	Pope of Jones.
Graves of Erath.	Ray.
Hardy.	Reid.
Harrison.	Richardson.
Heaton.	Rountree.
Hefley.	Shelton.
Hines.	Sherrill.
Hogg.	Snelgrove.
Jenkins.	Stephens.
Johnson of Scurry.	Stevenson.
Jones.	Terrell.
Kayton.	Thompson.
Keeton.	Veatch.
Kenyon.	Waddell.
Lemens.	Walters.
Long of Wichita.	Warwick.
Loy.	Wiggs.
Magee.	

Absent—Excused.

Baldwin.	Ewing.
DeWolfe.	Finn.

Johnson of Smith. Prendergast.
Kemble. Savage.
Martin. Strong.
McKean.

Mr. Keller raised the point of order that there was not a quorum present.

The Speaker sustained the point of order.

On motion of Mr. Tillotson, the House, at 6:30 o'clock p. m., adjourned until 9 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following committees have today filed favorable reports on bills, as follows:

Highways and Motor Traffic: Senate bill No. 53; House bills Nos. 21, 44 and 12.

Education: House bills Nos. 11, 34, 56, 27, 51 and 30.

School Districts: House bill No. 70.

Agriculture: House concurrent resolution No. 17.

Judiciary: Senate bill No. 16; House bills Nos. 22, 23, 29, 49 and 48.

Municipal and Private Corporations: Senate bill No. 55.

Conservation and Reclamation: Senate bill No. 51.

Game and Fisheries: House bills Nos. 69, 62, 72 and 70.

State Affairs: Senate bills Nos. 12 and 17.

Banks and Banking: Senate bill No. 22.

Conservation and Reclamation: House bill No. 59.

The following committees have today filed adverse reports on bills, as follows:

Revenue and Taxation: House bill No. 33.

State Affairs: House bills Nos. 17 and 58.

Game and Fisheries: House bill No. 68.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 11, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 7, A bill to be entitled "An Act to repeal Chapter 95, Acts of the First Called Session of the Forty-first Legislature, 1929, and declaring an emergency,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

Committee Room,
Austin, Texas, February 12, 1930.

Hon. W. S. Barron, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 10, A bill to be entitled "An Act to provide that the Texas Prison Board shall arrange for schools in all of the penitentiaries and penitentiary farms of the State of Texas; providing for compulsory instruction if illiterates and hours of attendance; that credit shall be given on sentence for attendance and instruction in such schools; that the chaplain shall be charged with the duty of organizing and supervising such schools; that instructors shall be prisoners as far as practicable, and that the Texas Prison Board shall make rules and regulations making effective the provisions of this act,"

Has carefully compared same and find it correctly engrossed.

McCOMBS, Chairman.

COMMUNICATION FROM R. A. McREYNOLDS.

On motion of Mr. Quinn, the following communication was ordered printed in the Journal:

R. A. McReynolds,
Justice of the Peace, Precinct No. 1,
Jefferson County.

Beaumont, Texas, February 11, 1930.

Hon. B. E. Quinn, Austin, Texas.

Friend B. E.: I am in receipt of your good letter of recent date and thank you very kindly for the kind expressions therein. As per your request, I am inclosing a copy of my annual report for the year 1929.

You will note that the commissioners court has allowed me a total salary of \$4,250. However, this amount was taken from my excess fees. Will also call your attention to the fact that I paid in to the county treasurer the sum of \$7,082.54. This amount was net after all expenses of my office and salary was deducted. You will also note that

I paid to the county attorney and other county and precinct officers a nice sum. I think that, in the whole, this is a pretty nice report for a "one-horse justice of the peace" to make, and your good

help toward passing on any bill that would benefit the justices of the peace will be highly appreciated by your

Sincere friend,

R. A. McREYNOLDS.

ANNUAL REPORT OF R. A. McREYNOLDS, JUSTICE OF PEACE,
PRECINCT NO. 1, PLACE NO. 2, FOR YEAR 1929.

To the Honorable Commissioners Court:—

	Expenses	Fees	Total
January.....	\$ 66.00	\$ 292.65	
February.....	67.05	455.10	
March.....	90.15	677.10	
April.....	113.67	316.25	
May.....	107.30	743.85	
June.....	137.95	456.05	
July.....	125.30	447.95	
August.....	114.45	487.45	
September.....	106.20	335.35	
October.....	116.95	620.45	
November.....	107.66	637.65	
December.....	114.77	725.95	
Total.....	\$ 1,267.45	\$ 6,195.80	\$ 6,195.80
Minimum salary advanced.....	\$2,750.50		
Maximum salary retained from fees.....	1,500.00		
Total salary allowed by Commissioners Court.....	\$ 4,250.00		
Total credits.....	\$ 5,517.45		
Net excess paid Treasurer.....	\$ 678.35		
Net fines paid Treasurer.....	2,503.69		
Trial fees paid Treasurer.....	3,897.50		
Jury fees paid Treasurer.....	3.00		
Net total paid Treasurer.....	\$ 7,082.54		
Paid County Attorney, Marvin Scurlock, fees.....		\$ 5,954.96	
Paid Sheriff W. W. Covington, fees.....		1,297.20	
Paid Constable, Jack Graham, fees.....		2,972.13	
Paid Constable, T. J. Hoyt, fees.....		968.75	
Paid witnesses, criminal cases fees.....		3,442.45	
Paid miscellaneous officers, etc.....		65.80	
Paid County Treasurer, fines, trial and jury fees.....		7,082.54	
Grand total collected and disbursed.....		\$27,979.63	

Respectfully submitted,